

INDIAN ARYANISM

FATHER OF RACISM & CASTEISM



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INDIAN ARYANISM

FATHER OF RACISM & CASTEISM

? Sociology

? Indignous Communities

Compiled by
B.M. LEELA KUMARI B.Com., M.L.,

Publishers

DALIT WOMEN LITERARY PARISHAD
NATIONAL FEDERATION OF DALIT WOMEN

INDIAN ARYANISM :FATHER OF RACISM & CASTEISM

Compiled By : **B.M. Leela Kumari, B.Com., M.L., Advocate**

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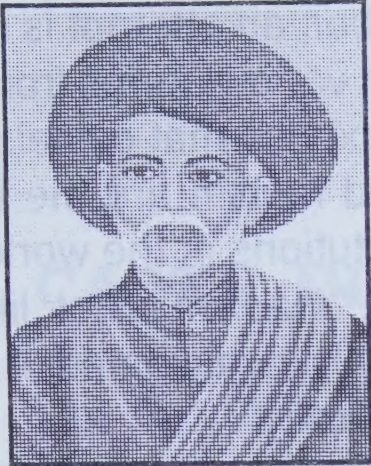
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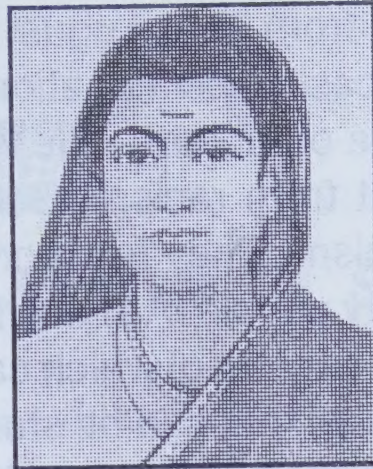
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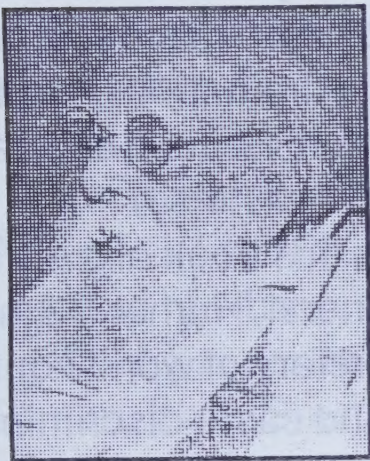
DEDICATED TO ...



MAHATMA PHULE



SAVITRIBAI PHULE



PERIYAR



Dr. B.R. AMBEDKAR

The great Indian Philosophers, Humanrights champions and social revolutionaries Mahatma Jotiba Phule, Savitribai Phule, Periyar and Dr. B.R. Ambedkar who fought against caste discrimination, fighting for self respect and human rights of the depressed communities (Scheduled castes, Tribes and Backward Classes) of India marching towards Liberty, Equality, fraternity throughout their life-time.

**- DALIT WOMEN LITERARY PARISHAD
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PUBLISHERS NOTE

On the occasion of world conference against Racism, Racial Discrimination, Xenophobia and related intolerance to be held at Durban in South Africa from 28th August to 8th September, an attempt is made to bring out the caste discrimination which exists in various forms from womb to tomb in life of Indians. The writers tried to expose that casteism is no way different from racism. Both casteism and racism are the twins of Indian Aryanism. They function as social institutions in the world to oppress majority people. As Ruth Benedict wrote, "Racism is not, like race, a subject the content of which can be scientifically investigated. It is like a religion, a belief that can be studied only historically".

Historically speaking, Arthur de Gobineau was the father and philosopher of modern Racism which gave birth to Nazi and Fascist racist philosophies. In his famous "Essay on the inequality of the Human Race", which was published in Berne around 1850, Gobineau's historical aryanism approved the Indian caste system and its discrimination. He took his theoretical inspiration from Indian Aryanism, Hindu mysticism and casteism. Thus Indian Aryanism is the father of racism and casteism.

In this context, the articles compiled in this book argues and the authors urges Ms. Mary Robinson, secretary general, Human Rights commission, united nations and the conference secretary of world conference against racism (WCAR) to include Casteism and caste discrimination in U.N. Human Rights Agenda to eliminate caste based discrimination prevalent in south Asia, particularly in India. It is high time for the U.N. to appoint a special rapporteur of the united nations commission on Human Rights (UNCHR) on the question of caste discrimination and intolerance and on violence against Dalits (Scheduled Castes), Adivasis (Scheduled Tribes) and Backward Classes (B.Cs) its causes and consequences.

The publishers will be very happy if this sacred cause is fulfilled.

We thank all the contributors, The Hindu, The times of India, ICMICA, Asian Human Rights commission, world council of churches, Lutheran world federation, Human rights watch for their valuable courtesy and contribution.

We appreciate the support given by Durgam Subba Rao while bringing out this book.

We specially thank Most Rt. Rev. Arch Bishop of Hyderabad, (Andhra Pradesh) M. Joji for his kind blessings as a message.

We thank Rev. Fr. A.X.J. Bosco S.J former Andhra Jesuit provincial for his kind support and guidance.

We thank J. Srinivasa Reddy, Ch. Durga Prasad and Sri Venkateswara Reddy, Manager, Nagarjuna Enterprises for their technical support.

*B.M. Leela Kumari
Ruth Manorama*

MESSAGE

CASTE DISCRIMINATION IS SIN

The Catholic Church in India declared that discrimination on the basis of caste is a grave offense and a heinous form of oppression in India. The Church does not accept any form of discrimination based on occupation or descent. It is the duty of every individual member in the society to eradicate the social evil of "Caste System".

I congratulate the DALIT WOMEN LITERARY PARISHAD and NATIONAL FEDERATION OF DALIT WOMEN for publishing this book entitled "Indian Aryanism: Father of Racism and Casteism", which will be presented in the World Conference against Racism (WCAR), Durban, South Africa from August 28, 2001 to September 8, 2001. This compilation explores the casteism and caste discrimination prevalent in India and South Asia.

It is high time for the United Nations to recognize caste discrimination as heinous and dangerous on par with racial discrimination. The U.N. must take up caste discrimination in its Human Rights agenda and console 200 million Dalits (S.Cs.), 100 million Tribals (S.Ts.) and 500 million B.Cs. living in India through proper International action and help.

May God bless them in their efforts.

With all good wishes

Yours sincerely

(+ M. Joji)

Archbishop of Hyderabad
Andhra Pradesh, India.

INTRODUCTORY REMARKS TO CASTE & RACE DISCOURSE

The Dalits of India are perhaps the world's Foremost example of a community which has been forcibly deprived of its identity. As we have seen their opponents have done this work very systematically using all kinds of means of oppression to see to it that the Dalits have lost their human rights. Religions, cultural, economic, political, linguistic, education and thus their identity.

Notwithstanding the democratic values in circulation, caste continues to be a very good reason, why often Dalits are offended, deprived of the best things of life and have been subject to innumerable inhuman treatment and practices due to the ugly form of "untouchability". poverty coupled with illiteracy aggravated this dehumanising processes over centuries.

Even today in the rural areas the entry of the untouchables into the homes of caste Hindus is only a dream. In rural India, Covering three fourth of the nation the rules and practices of prevention, discrimination, exclusion, distinction, restriction and segregation of the untouchables who are cast out society still a living reality. When the untouchable community takes a small step towards equality and dignity it arouses intolerance and violence, murder and arson erupt. This is the terrible condition in which the Dalits live.

The world conference against racism, racial discrimination, xenophobia and related intolerance has once again brought a new hope for the millions from various parts of the world. This conference instead of using the "Race" in a restricted sense, has rightly conceived in a broader sense to denote removal of all institutional discrimination within the human race. Discrimination by descent and occupation has also been included under the purview of the conference. Caste is descent based and heredity in nature. It is an immutable characteristics determined by one's birth into a particular caste.

The contributions of the learned authors of various articles which are included in this publication would add on to the ongoing debate to recognize the inherent human dignity and equal and inalienable rights of all members in our society and the dalits in particular.

I congratulate B.M.Leela Kumari of Dalit women literary parishad for her effort in publishing this book and wish her for her continued contribution to the total emancipation of Dalits ingeneral and Dalit Women in particular.

Ruth Manorama

National Convenor,
National Federation of Dalit Women

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NON – INCLUSION OF CASTE IN WORLD CONFERENCE AGAINST RACISM: A CHALLENGE TO HUMAN RIGHTS*

*Katti Padma Rao***

This is the age of Human Rights. Any violation of Human Rights any where in the world, is a challenge to all right thinking persons in the world, because without basic Human Rights, the Civil societies cannot exist. The violation of Human Rights of the suppressed races and communities, hitherto was voiced through the lips of outside- sympathizers. But now it is the suppressed communities, through their own voices, are going to defend their Human rights against the oppressors. In this back drop, you are all aware that the Human Rights Commission of United nations is organising a world conference at DURBAN against “Racism, Racial discrimination, Xenophobia and Related Intolerance”. From 31st August to 7th September 2001. This conference is aimed at addressing all kinds of “descent based inequalities and intolerances”. The NGOs as well as the Official committees are going to take part in the Conference. The establishments and communities all over the world realized that at least, in 21st century all kinds of inequalities and intolerance’s must be put to an end, thereby preventing violation of Human Rights.

2. You are aware that the United nation charter described race, religion, language, gender and class as the discriminating factors, which would lead to violation of Human Rights. Unfortunately, the UN charter did not include “**Caste**” as one of factors, perhaps taking it for granted that it is included in the word “**race**”, which is ‘**descent based**’. When the Conference is addressing all forms of **descent based inequalities and intolerances**, there is no reason why **Caste** should not be discussed in the said Conference, as **Caste in a way is also ‘based on descent’**.

3. The Caste system in south Asia in general and India in

* Paper presented at the national Seminar cum public consultation on Racism organised by national Human Rights commission (NHRC-India) in association with the national law school of India University (NLSIU), Bangalore, 3-4, August 2001 at Bangalore.

** Dalit leader katti Padma Rao is the founder general secretary of Andhra Pradesh Dalit mahasabha and regarded as the father of Modern Dalit movement in Andhra Pradesh.

particular imposed all kinds of inequalities that led to untold miseries and unchecked violation of Human Rights to millions of people. **There shall not be any two opinions on this.** Dr. B.R. Ambedkar fought all his life against the Caste system and tried to make provisions in constitution of India to abolish **Caste and Untouchability**. But unfortunately only "**Untouchability**" stands abolished as per the Art of 17 of the constitution of India and the mention of the Caste could not find place any where either in the fundamental Rights or in the Directive Principles of the State policy.

4. In the recent past, several Non-Governmental Organisations and the public in general made efforts to impress upon the government of India to permit inclusion of **Caste** in the agenda of UN Conference at Durban, as **Caste** is as much iniquitous and xenophobic as race and in fact **much more heinous and severe**. But the stand of the Government of India is against inclusion of **Caste** on the agenda of the UN conference at Durban terming it as an **internal matter of India and that the State and central Governments are taking effective steps to tackle the problems of Caste based discrimination through various legislations including Constitution of India**. Such an unreasonable stand of Government negated the aspirations of 85% of Dalit Bahujans in India and particularly 250 millions of Dalits who suffer from the **most severe form of discrimination of Untouchability**.

5. Even, the most powerful and stable democracies like America, Britain including Germany and Australia which have very stringent anti-racial laws, realized that **legislations alone can not bring enough pressure** on civil societies and communities and therefore permitted the subject of race to be discussed and debated in various UN World Forums with the fond hope of getting solutions sought for. These countries did not feel ashamed of expressing to the world that there is **racial discrimination** in their countries and felt that it is the responsibility of international communities to think and devise various methods of putting an end to this discrimination. Their **open mindedness, truthfulness and their eagerness to uphold the Human Rights have brought prestige and respect to those nations**.

6. In pre-independence days, when India took a very strong stand against race based discrimination based on their experience in South Africa and the colonial experience of British rule both in India and elsewhere it was well appreciated. But now, it is not understood why Government of India is fighting shy to permit this issue of Caste to be discussed in international Forums? The entire world communities knew that Caste is a severe form of discrimination resulting in violation of Human Rights and much more severe in content than race, affecting nearly 1/10 of

the population of world viz. About 750 millions of Indian citizens are subject to this cruel discriminations for ages together. There is no rationale in Government of India taking such a stand. It will be in fact a matter of pride and enhance image of the country in the eyes of the world nations as a champion of civil rights if India accepts the existence severe form of Caste discrimination and allows it to be discussed in the international Forums as an important issue of Human Rights rather than taking it as a prestigious issue. If Government of India keeps opposing the issue of Caste to be discussed in International Forums, the inevitable result is that Dalit Bahujan in general and Dalits in particular numbering nearly 750 millions will get alienated from the Indian social order itself with concomitant repercussions.

7. Having said that 'Caste' is the most pernicious factor resulting in violation of Human Rights of nearly 1/10 population of the world, it is but necessary to have some knowledge about the institution of 'Caste' in India, how unfortunately it got evolved through ages and entrenched in the minds of almost every Indian. In this context, I cannot do anything better than reproducing the relevant portions from my book "Caste and Alternate Culture" published in 1995.

LAYERS OF CASTES

8. Filled with layers of castes, Indian society has been promoting inequality from time immemorial. Its structure is marked by graded inequality, based on varna, caste and untouchability. Our economic inequalities are also mainly due to these piles of castes. There is an integral relation between the caste system and the complexity of the social and economic realities.

9. The vast socio-economic disparities, though changing in form, have been increasing, not decreasing. The social foundation is mainly responsible for the political, economic and caste rivalries in India as also for the slow pace in changing them.

10. Social anthropologies and economists are engaged in the discussion of the inter-relation between caste and class. Even those who believe in the primacy of economic relations in social evolution have begun to do some re thinking. Against this background, let us do some scientific scrutiny of the basic points that have emerged, as also their mutual relations and contradictions.

CASTE AND VARNA

11. The power of 'caste' cannot be fully grasped without a sociological discussion of the relation between Caste and Varna. The term 'Varna' was initially used in the Rig Veda to distinguish between the Aryans and the 'Dasyus'. By the time of the writing of the Tenth mandala, four Varnas were mentioned. While three of the Varnas were Aryan, the fourth was non-Aryan and

therefore said to be born from the feet of Brahma. It became part of Aryan society and began to live on the fourth step thanks to social and historical circumstances.

12. Living away from this 'Varna' complex, the Chandalas, Pipilikas, Nishadas and others were called 'Panchamas', later to be dubbed 'untouchables'. But they were not treated as 'untouchables' by the Vedic Aryans, but only as 'Panchajanas'. Discussing this problem. G.S. Ghurye writes:

13. "It is more reasonable to hold that both these groups Chandala and Paulkasa were sections of the aboriginals. They were, for some reason or another, particularly despised by the Aryans. The Nishadas, on the other hand, seem to have been a section liked by the Aryans, probably because they were amenable to their civilized notions. The Vedic expression panchajana is explained by tradition, belonging to the latter part of the period, to mean the four varnas and nishadas, a fact which shows that these people had, by this time, become quite acceptable to the Aryans". Ghurye observed that they were recognized only as Pancha mahajanas. From this, it can be inferred that the stigma of untouchability was not imposed on them.

14. Only four 'Varnas' were mentioned in the 'Varna system' describing panchamas as 'Avarnas'. But this principle of stratification began to spread all over, multiplying the Castes. In every group speaking any one of the main languages, there developed at least two hundred castes, and three thousand sub-castes. In course of time, these began to get petrified as branches and sub-branches with endogamy and exogamy generation after generation. The impact of this Varna principle got buried in the foundations of Caste. This kind of social stratification was not prevalent in India, before the Aryans had brought in the Varna psychology with them.

15. In his book, "Origin and growth of Caste in India". N.K.Dutta explains how the psychology of caste spread all over India.

16. In his book, titled, "History of Hindu Imperialism" Swami Dharmatirtha explained how this class of Brahmin Priesthood had evolved the cruel arrangement of dining and wining inject caste prejudice and superstition into the Indian mind.

17. Even so, the practice of men of the higher castes marrying women of the lower caste continued. Analysing this problem in his book, "Caste and Race in India," G.S. Ghurye says that a male of the three upper castes, viz. Brahmana, Kshatriya, and Vaisya, was allowed to marry a Sudra female. But not the other way round, which was deemed a cardinal sin. Even among the three upper castes, a Brahmin male could marry a Kshatriya female, a kshatriya male a Vaisya female. But a reverse order was not allowed, i.e., a Vaisya male was not allowed to marry a

Kshatriya female, nor a Kshatriya male a Brahmin female.

18. By the time of the Manusmriti, these arrangements were recognized as Anuloma and Pratiloma marriages. The practice of upper caste men marrying lower caste women is another way of perpetuating the patriarchal system. When an upper caste man married a lower caste woman, the latter used to be absorbed into the former's caste. But by the time of the advent of Manusmriti, the products of these inter-caste marriages formed into new castes, without in any way helping the emergence of a casteless society.

19. The Vedic society only helped the proliferation of castes in newer and newer forms in India, but made no attempt to annihilate caste. That is why G.S. Ghurye described caste as "a product of Brahminism, with Aryan culture as its foundation".

20. "I may conclude", he said "that caste in India is a Brahminic child of Indo-Aryan culture, cradled in the land of the Ganges and the Jamuna and thence transferred to other parts of the Country".

21. As Ghurye adds, there was no reference to caste in the areas of earlier Indian culture, covered by the Indus Valley civilization.

In addition to the injunction of marriage within the same caste, the restrictions on dining and wining were imposed by the three upper castes on the Sudras, for perpetuation of the Varna system. In the south of India, there was no ban on inter-dining among the different castes, until the advent of the Aryan culture. It was only the Aryans who spread these prohibitions to the south.

22. Before the psychology of untouchability lying hidden under this ban was imposed on the Panchamas, it was applied to the Sudras by the Aryan Castes. Going deeper into the problem, Dr. B.R. Ambedkar mentions in his book, "Who are the untouchables?", that before the feeling of untouchability was spread between one another among the three upper castes, it was applied to a Brahmin man and a Brahmin woman in one and the same Brahmin family.

23. Realising that the life-style of their caste depended on the practice of untouchability, the Brahmins began to spread the idea from all possible angles. It was only after the arrival of the Aryans in India, distinctions between Aryans and non-Aryans, touchability and untouchability began to come into vogue. Before that, in spite of the plurality of races in India, these distinctions were not there; all of them tried to live together.

24. As for the Brahmins, they would not marry even among

themselves, because of the Gotra problem. It is prevalent among the Kshatriyas also, especially among the Rajputs. Writing about the Rajputs of Bihar, A.E. Crawley says that Sagotra marriages were prevalent among them, but these were looked down upon. In his book, "Hindu Castes and Sects", bhattacharya explains the Gotra system as follows:

25. "Generally speaking, the Gotra is a strictly exogamous group among brahmans, though even here castes are found in which the gotra, though existing, is not the exogamous unit. For instance, the Sakaduripi brahmans of Bihar, are divided into PURS or sections which do not coincide with their gotras. Here the PUR is the exogamous unit, and provided marriage taken place outside the PUR it may be within the gotra, and a similar system is reported of the Sarswat Brahmans of the Pubjab".

26. The brahmans formed themselves into three groups based on the three Vedas. This classification- Rig, Yajur, Sama was merely for purposes of Puja ritual. They had also further divided themselves into many other groups, based on language, region, and custom. Every Brahmin has a Gotra, in the name of which there is a "Grihya Sutra", the basis for the division. Important among them are eight:

1. Aasvalayana Sutra; 2 Aapastamba; 3. Bhardwaja; 4 Bodhyana; 5. Satyashada; 6. Vibhanasa; 7. Katyayana; and 8 Drihyayana. It is claimed that these are all derived from the vedas.

27. Apart from these, they are attached to one of the seven important Rishis:

1. Atri; 2.Kutsa; 3. Bhrigu; 4. Vasishta; 5. Gautama; 6. Kasyapa; and 7. Aangeerasa. Some of them claim Agastya also in this list. In south India alone, there are 230 gotras, in the name of these Rishis, according to Edgar Thurston.

28. These ritualistic caste practices have been evolved by the Brahmins as a way of life. From the birth of a boy to his growth into adulthood, he is controlled by a set of rules that fit him into the pattern of caste- Anna Prasana, Namakaranam, Jaataka Karma, ad Upanayanam. During the Jaataka Karma Ceremony, the child is made to lick a little of ghee and honey and told that he would live for a hundred years, with the protection of Indra, Saraswati and Aswani. While doing Namkaranam, his name is wishpered into his ear; adding that Indra will give him knowledge. In the process of Annaprasanam, the child on completion of six months, is initiated into solid diet, when a mantra is recited.

29. "Agni who lives on plants, Soma who lives on Soma juice, brahmans who live on the Vedas and Devatas who live on Amritam

(ambrosia) may they bless you. As the earth gives food to plants and water, so I give you this food. May these waters and plants give you prosperity and health”.

30. elements of nature are hailed as Gods in Aryan culture by Brahmins who want to propitiate them at every step. A boy, at the age of eight, is brahminised by Upanayam (sacred thread ceremony) No one, however great, brought up in this milieu can easily escape from the Brahmin Culture. Though there arose many great social reformers among the brahmins, the influence of Brahmin culture began to show up in one context or another. This caste culture is like a bog. One can only get stuck in it, not get out of it. From which it follows that if you want to destroy caste feeling, you have to eradicate the Varna philosophy and its foundation, the Brahminical Hindu culture.

A change in the psychology of Varna, the individual, family and Gotra cannot be effected by constitutional provision or legislative action. Ruling powers had tried their best to stabilize it over the last 2,500 years and more. Non-Hindu rulers like Moghuls and the British only managed to use it to suit their administrative convenience, but did not interfere with its foundations. That was why caste had crept into the Islam spread by the Moghuls and the Christianity propagated by the British. But none of them was able to change the caste psychology in Hindu society. That was because of the perpetual continuance of Hindu revivalism in theory and practice.

This apart, the fourth caste, going by the name of the Sudras, attracted by Brahmin culture were caught in that vicious circle. To attain social equality with the Brahmins, they began to practise priesthood, assume Brahminical names for their caste and thus proclaim their superiority. Thus in Andhra, Padmasalis (weavers) began to wear sacred thread; Barbers became 'Nayi Brahmins; and Kamsalis (goldsmiths) began to call themselves Viswabrahmins, to Brahminise themselves.

Likewise, amongst the Dalits known as Panchamas there arose Mala Dasaris and Madiga Dasaris. But these names and sacred threads did not help them acquire caste superiority. Lingayats (pure Saivites) also proclaimed their social equality with the Brahmins. They even refused to partake of the food cooked by the latter. But this didn't make any difference. For the simple reasons that they became victims of Brahmin cunning. The feeling was created that each caste was superior to the other, which was therefore, inferior. The question of superiority and inferiority among the Sudras often led to violent disputes, Hindu culture made it impossible for them to come together.

31. Added to this was the problem of diet. Hindu propagandists began to spread the feeling that vegetarians were purer than

non-vegetarians; and vegetarians among the Sudras were worthy of respect by the Brahmins. A man following a certain profession is made to believe that he should not professionally serve another engaged in the same profession. This practice is still followed in some professions. For instance, a Rajaka (or a Washerman) is not supposed to do the washing for another Rajaka (or washerman). In many places, the Sudras would not agree to do their professional duty for the Dalits. All this is due to the powerful influence on the Sudra castes of the poisoned foundations of Brahmin culture

CASTE- BASED MARRIAGE SYSTEM

32. In his eassay, "Future of the Caste system", G.S. Ghurye explains how the practice of marrying within the same tribe or sub-caste had become part and parcel of the caste structure. He says; "Most of the groups, whose features I have attempted to characterize above, are further divided into a number of sub-groups every one of which forbids its members to marry persons from outside it. Each of these groups popularly known as sub-castes, is thus endogamous. This principle of strict endogamy is such a dominant aspect of caste society that an eminent sociologist is led to regard endogamy as the essence of the caste system".

33. The evolution of different restrictions, and different traditional marital practices for each caste is another factor that has kept the caste system intact. Inter-caste marriages, if any, happen to be only love marriages; not performed by the elders in society for removing caste differences.

34. For marriage dinners, guests are invited according to their economic status, but this practise is restricted only to dining and wining and has nothing to with reforming the caste system. In Andhra Pradesh, among the Kammas, Reddis, Rajus, and Velamas, who are of the same stratum, there is inter-dinning during marriage receptions, but no inter-marriages. Even the discussions on such occasions center only of differences in rituals and practices.

35. Likewise, among the Dalits, Maals and Maadigas, who belong to the same social class, have-inter dining during marriages but no inter- marriage. Similarly, there are no inter-marriages between Padmasalis and Devangas, who belong to the same weaving profession. Same is the case with Kummari (blacksmith), Kummari (potter), Chaakali (washerman) and Mangali (barber,) all backward castes. All this is the result of the impact of Brahmanist psychology.

36. The absence of inter-marriages creates an abyss between one caste and another. Though human relations appear cordial

on the surface, there is no real unification underneath. There are no inter-marriages among the tribals either e.g. between Yanadis and Erukalas, Inter-caste marriages, based on a principle or for social reorganization, are few and far between.

37. Among the Dalits too, it is not unusual for a Dalit woman having sexual relations with a man of another caste to be insulted and punished by elders of the community. With caste serving as a foundation for the dominance of the elders, even the leaders of the lower castes are found to come in the way of the reform of the caste structure. Because of their obstinacy, sub-castes are getting more rigid, with growing rivalries between the Maalas and the Maadigas.

38. The practice of this endogamy from top to bottom has been reinforcing the caste structure, protecting the foundations of caste as a bastion. It also stands as an obstacle to the development of a humanist culture.

CASTE AND URBAN CULTURE

39. In cities too, this caste culture is flourishing, without let or hindrance. Any one from outside is free to come and settle. Even so those of different castes from the countryside bring along with them the seeds of their caste culture.

40. Even in metropolitan cities, caste feeling lies hidden in their way of life. We can see the dominance of Brahmin culture till today. Caste colonies are a common feature of these cities. Even in mixed colonies, different castes have separate community centers. In America too, Indians have separate caste associations, and marriage centers. People of different castes living in the same colony maintain some superficial contacts, including financial transactions and birthday greetings. But, when it comes to the question of marriage, they scour the whole city for a person of the same caste.

41. The Mahars of Bombay and the Ghatavs of Agra are being urbanized, but their caste structure is not broken. The Adi Andhras are living in Madras as Thotis (menial workers) in slums, which are a byword for poverty. Similarly in Delhi, Bombay, and Calcutta, ninety percent of the slumdweller are refugees and Dalits. The caste system takes ever new forms in the cities.

42. Industrialisation in our country was not able to affect the shape of caste either. Industrial workers, come together in the factory, but are unable to live together socially. That is why they are not able to discard caste distinctions or contract inter-caste marriages.

43. Brahmins living in cities would not give up Upa-nayanam or Aabdikas(death anniversaries) and other rituals and ceremo-

nies. These flourish even in the heart of the national capital. These only go to strengthen the grip of caste practices. Urban culture doesn't come in the way of caste at all.

44. The poison tree of caste spreads like the green tree anywhere in the Indian soil. More recently, the R.S.S. and the Vishwa Hindu Parishad have been flourishing in the cities. They are enabling the vicious caste culture to spread like the thousand-headed- serpent.

ANTI-BRAHMIN CAMPAIGN IN MODERN TIMES

45. The Anti-Brahmin in Movement took a serious turn in south India. As a result of which, the Brahmins were hard hit-economically and politically. The campaign was led by Periyar Ramaswami Naicker in Tamil Nadu and Tripuraneni Ramaswami Choudary in Andhra. Similar campaigns were conducted in Kerala and Karnataka also. In Maharashtra, Mahatma Phule and Dr. B.R. Ambedkar raised this movement to the level of social revolution.

46. There were quite a few developments resulting from these movements. When their impact was close upon them, the Brahmins only bowed, but didn't give up their caste psychology. On the other hand, the Sudra castes which came to power through these movements acquired some Brahminical characteristics. In Andhra, after the victory over the Brahmins, Kammas and Reddis seized socio-political authority and turned themselves into powerful superior castes.

47. They began to show the cruelty and ruthlessness that go with caste against the lower castes. While the Brahmins harassed the lower castes, Kammas and Reddis not only harassed them, but often killed them as well.

48. Many of the changes brought about in the Plant sector, after Independence, had served to improve agriculture. The Green Revolution and Operation Flood, which were a part of this only helped to sharpen their claws. Having strengthened their economic and social position, they fiercely obstructed the efforts of the lower castes to grow up as human beings.

49. Occasionas there have been in which they turned head hunters, invading Dalit colonies, and massacring men with swords, lances and battle axes, molesting their women and burning their houses. Karamchedu and Tsundur are glaring examples of this. The anti- Brahmin campaigns have only intensified casteism, not decreased it. The feeling of caste saperiority has also led to caste- based cruelty.

CASTE IN POLITICS

50. Hindu traditionalists had always safeguarded the inter-

ests of caste in the Congress. The dominance of caste in the party grew, depending on the leadership in the province concerned. Because of Nehru's leadership, Brahmins were prominent; because of Gandhi banias in Gujarat; and because of Tilak, Brahmins in Maharashtra. Likewise, Brahmins first came to the fore because of Prakasam, but were later replaced by Reddis. The Congress which started on the foundation of caste began to progress, reinforcing the same feeling.

51. As Dr. Ambedkar had observed, as long as caste was supported by Hindusim, its structure cannot be affected. Whatever be the changes in the superstructure, it is more vital to dismantle the foundation. It is amazing to watch the transformation of the caste structure from the rural to the metropolitan level. The president of the village Panchayat, who is its political representative, is usually from the landed gentry. The leadership is virtually theirs, but for the reserved membership. A majority of the Reserved members are also in their control. They only try to enhance their political power and caste superiority.

52. Thanks to the new agricultural methods and new life-style different castes are no doubt coming a little closer. But there is no difference in castesim. Caste leadership has been changing its shape, according to the changes in society. The manner in which the pattern of political power is changing, while retaining its caste domination is analysed by Prof. M.N. Srinivas, in his essay on "Mobility in the caste system".

53. If we examine the list of our members of Parliament, we will understand how the Kshatriyas had crept into politics towards the close of the British era. In the same way, the Marathas, Reddis, Vellalas, and Nairs, south of the Vindhyas. These examples are enough to illustrate the thesis of Prof. Srinivas.

54. In South India, many Sudra Castes call themselves 'Kshatriyas', on attainment of political power. In ancient times, it was the investing of dynasties like 'Surya Vamsa' and 'Chandra Vamsa'. After the Kshatriya seal was obtained, they strived hard to safeguard the identity of their internal divisions.

55. Manu and Kautilya were of the view that a kingdom should be ruled on the foundations of caste. That technique still holds good. "Divide and Rule" is the principle that works, when a minority group wants to conquer a majority group or rule over it. Long before the British came on the scene, Indian rulers had used it effectively. The British has probably learnt it from them and utilized it in the Indian social context of caste, creed, religion etc. Indian rulers are known to have altered the status of certain castes in certain situations. Some kings patronized some castes, while other kings suppressed some others.

BRAHMIN DOMINATION

56. After the end of rules who had patronized Buddhism, Hinduisim began to rise again, with redoubled vigour. There were restrictions on the migration of rural people into the cities, which were centers of trade. Indian kings, as also the British rulers, used to favour the agricultural castes, which were the main tax-payers. Brahmin aghaharams used to be the centers of traditional values. Farmers being their tenants, they used to follow the Brahminical traditions.

57. As the kings gave land grants only to Brahmins, caste and varna flourished under Brahmin domination. Ownership of land was not only a source of security, but also a symbol of social status. This was the reason for India's subservience to Brahmin domination. It is only for want of proper understanding of the inter-relation between the social and economic factors that economic theorists are unable to link up the agrarian agitation with the anti-Brahmin movement. There were many occasions when the rulers donated their kingdom, along with the land to brahminism. The land-owning castes also helped perpetuate the caste system, under the impression that for keeping the lower castes under control, it was important to support Brahmin culture.

58. Discussing the nambudiris, one of the best-known Brahmin castes (of Kerala), Edgar Thurston says in his 'Castes and Tribes of Southern India'. "The Nambudiris are, for the most part, landholders or of that class. The Nambudiri is sometimes a money lender'.

59. Likewise, many of the sub-castes among the brahmins happen to be landlords. Along with these, the other landowning castes have been promoting Brahmin cultures, with land as the focal point.

60. It can thus be seen that in Indian society, caste in all the layers and in myriad forms, continues its dominance. All the fields of activity- social, economic and political- are filled with this caste culture. It is vital to study this culture in depth for understanding the history of caste.

61. From the above you might have come to the conclusion that caste over the ages is strongly entrenched in the minds of almost every Indian having become a part of his religion and culture. Though every one knows the pernicious effects of 'Caste' on Indian Society and its concomitant repercussions I am very sorry to point out to this august gathering, that no one is seriously thinking to eradicate the same. The society is getting more educated day by day. More number of people are getting enlightened and everybody realised that education is the liberative fac-

tor of the so called suppressed communities from the social evils cast upon them. But unfortunately the more one gets educated, the more the tendency, to take pride in entrenching oneself in the so called "Hindu Culture" upholding the Caste system. It is only some of the suffering castes who are at the lowest rung of the caste structure that are rebelling.

62. It became fashionable for some of the thinkers pseudo-socialists, including NGOs to talk about violation of Human Rights; but are not sincere in raising their voice against this pernicious Caste, which is the mother of all evils in the country. It is time for them to raise their voice at all levels both inside and outside the country and the National and International Forums and bring pressure on the 'Civil-Society' to mend its ways. This can be done by sensitizing the so called educated section of the society. I sincerely feel that these educated lot, in the Society is not doing its duty in apprising the masses about the evil effects of the caste. I have no hesitation to say that it is the failure of the educated masses and more so the Suppressed and Dalit communities, in refraining themselves from the practices of the Hindu culture, which is mainly responsible for this social evil and purge Hindu Religion.

63. I am also taking you back to the freedom struggle and the so called famous or infamous Poona Pact of 1932, because of which special provisions were made for the SCs and STs in constitution of India, reserving seats in State Legislatures and Parliament. Number of M.Ps and MLAs have been getting elected because of these provisions; but they are utterly failing to realise the efforts put forth by our emancipator Dr. Ambedkar, in getting reservations incorporated in our constitution. These legislators and Parliamentarians instead of raising issues and bringing in amendments in these social-arena, remained satisfied for themselves. They Legislators and Parliamentarians instead of raising issues and bringing in amendments in these social- arena, remained satisfied for themselves. They utterly failed to fight for those unfortunate people on whose name they are elected. In my opinion, this is the most miserable failure of the suppressed and Dalit community members of these Legislatures and Parliament. It is high time that they realise(come what may without fear for their individuals betterment) and fight for bringing amendments to various Social – systems in the country. Then only light will shine upon these Suppressed and Dalit communities.

64. It is very painful for me to note that with vision Dr. Ambedkar provided security and protection to the Rights of Minorities by incorporating the same in the constitution with the fond hope that they become the torchbearers for elimination all social evils. The Minorities can propagate freely their religion and culture and establish institutions of their choice to main-

tain their culture etc., I may not be misunderstood if I say that these minority communities, especially the Christian and Muslims never fought for bringing any social-change and more so far the Dalit Communities. On the other hand they are giving a helping hand to the oppressors, the so called upper castes to get trained in their institutions and spread and sustain the culture of graded inequalities. They never cared, in sufficient measure to train up the suppressed communities and infuse the new culture in their minds and give them enough strength to fight out against this casteism and the sanctified Hindu culture. Had they been mindful about this, for the last one century, they would have brought miracles in the Indian Society because Monority Institutions are the only forte and bulwark against the evil of casteism and violation of Human Rights. May these Monority community and their institutions at least now realise and play their part in eradicating the evil caste system. Then only they will be rendering real service to the humanity not otherwise.

65. Finally I would like to impress upon this august gathering that with the existing culture prevailing in India, which is predominantly based on Hindu religion one cannot bring in any sort of revolution. We have to think of alternate indigenous culture. If all the enlightened citizens of the Civil society strongly realise the necessity of Human Rights based on equality, freedom and fraternity of mankind, and resist every sort of violation either in the name of religion or culture, then only there will be a cultural revolution. In the past the anti-Brahmin revolution resulted in strengthening the caste system rather than eradicating it. The new culture, which I am thinking of, is not one such revolution; it should be truly based on liberty, equality and fraternity of mankind, where one man can look upon the other as equal in all respects. One need not be pessimistic that such a cultural revolution may not come India. But I am very optimistic that the present day social-activists who are crying from the house-tops about the violation of Human Rights, if they are determined, will bring in such revolution by constant debate, education and by practising a different culture from the existing one. My suggestions of alternate cultures in the foregoing paras may give some clue for all the thinking men in this regard.

66. **Lastly, I entreat and beg all of you, the NGOs and the Social Activists, who gathered here in the context of presenting the stand of India at the World Conference on "Racism, Xenophobia and Related intolerance's", to raise their voice and tell the world communities that caste is the most severest form of discrimination based on descent; much more severe than race, resulting violation of Human Rights on millions of people in India, and hence be included in the agenda.**

RACE AND CASTE: ANTHROPOLOGICAL AND SOCIOLOGICAL PERSPECTIVES

*Prof. (Dr.) T.K. Oommen**

The stony academic pronouncement that race is a biological category, and caste is a social category and therefore there is no relationship between these two is unsustainable for two reasons. First, according to the latest research race as a biological concept does not have any validity. So much so the American Anthropological Association has recommended to the U.S. Government to eliminate the term race in the 2010 census because research in human genome shows that DNA of human beings is 99.9 percent alike irrespective of race. Therefore, what is relevant is not race, but racism, that is, the ranking of human beings based on their presumed biological origins and features. Similarly, caste as a social category is constructed on the basis of imagined attributes but casteism, that is preferential treatment to one's fellow caste men and caste discrimination based on the belief that some castes are inferior and others superior are of great significance. Secondly, terms and concepts rarely retain their precise meanings and pristine purity. They are manipulated by ideologues, politicians and even scholars to meet the needs of vested interests. Therefore, we need to look at the career of the concepts of race and caste.

I

The concept of race has passed through at least two phases. In the beginning race was defined as a biological category by biologists and physical anthropologists who divided human race based on physical characteristics; a widely endorsed categorization being the division into Caucasoids, Mongoloids and Negritos. But now we know those phenotypical differences between these categories is negligible. And yet, discrimination occurs when inter-racial interaction takes place because the races are categorized into a hierarchy- the top one is believed to be not only physically beautiful but also mentally and intellectually superior. The problem of racism could have been overcome through scientific education if matters stopped here. But that was not to be as the philologist entered the scene launching the second phase when race came to be defined as a linguistic category. Categorizations such as the Aryan, the Dravidian, and the Nordic races had become common. This was indeed a stupid idea. Max Muller said that to refer to Aryan race is as absurd as talking about dolicocephalic grammar.

To complicate matters further race came to be viewed as an ethnological, that is, cultural category in the third phase of its career. Language is often taken to be the core of culture. If race can be viewed as a linguistic category it may as well be viewed as a cultural, that is, ethnic category, went the argument. Thus the biological, linguistic and cultural came to be co-terminus. From here the distance to the fourth phase, the political one, was rather short. In west Europe nations are conceived as linguistic-cultural entities with a geographical anchorage. Understandably races came to be considered as nations. This career of the concept of caste is not exactly similar but not entirely dissimilar either, to the account of which I shall turn subsequently. But before that it is necessary to understand the historicity of the issue.

There is a body of scholars who view that caste is "invented" by the orientalist who aided colonizers to subjugate India. That is, orientalism is viewed as an instrument of colonialism. But the nationalist scholarship which attack orientalism is not different methodologically; the scientificity of both orientalists and nationalists is suspect. Both are biased, although their biases lie in different directions. If the orientalists aided and abetted colonialism by external agents, nationalists often facilitated internal colonialism.

The attack against oriental scholarship was first articulated by Edward Said in his famous book *Orientalism* (1953) and more recently Ronald Inden in his *Imaging India* (1990) reinforced this line of argument with special reference to India. I want to enter a couple of caveats here, before proceeding any further. First, there are at least three orients- far, Middle and Near but said refers mainly to the Near Orient given his biography and interest. Inden talks about sub-continental India which is vast and varied with too many internal differences. That is, orientalism is constructed by its critics as a master narrative. But much of the internal variations is concealed in this master narrative. We need to have several micro narratives to unfold the diversity and richness of reality in the Orient. Second, there is no consensus among the colonial scholars about the nature of Indian social reality. The differences among them is not a matter of their ideological or methodological differences but largely conditioned by the "fields" they have studied- the property of the situation which they investigated.

Now, let me answer the following question. (1) Is caste an invention of the orientatlists? (2) How far is it correct to say that caste has nothing to do with race? Even a cursory understanding of the two ancient texts of India- Mahabharata and Ramayana-unfold the following: (1) The Hindu society was hierarchical and it had a racial basis as the distinction between fair-skinned Aryans and dark Dasyus existed; (2) The Hindu Doctrine of Creation

refers to the Chatur Varna (four-colour) scheme which orders the four categories into a hierarchy. In this scheme white denoted Brahmins, red Kshatriyas, yellow Vaishyas and black Shudras. These categories emerged respectively from the mouth, arms, thighs, and feet of the Primordial Man; (3) The possibility of varnasankara (confusion and/of mixture of varnas) was conceded through two sources. First a theory of mobility according to which originally.

Brahma created just Brahmins but those who were short-tempered and violent left their varna, turned red and became Kshatriyas, those who took to cattle-rearing and agriculture turned yellow and became Vaishyas, and those who in their delusion took to injury and untruth turned black and became sudras; those who diverged still further from the proper norms and did not recognize them became Pisacas, Raksasas, Pretas and various sorts of Mlecchas (foreigners, barbarians) (Brockington, 1997:99).

Second through inter-varna marriages, both anuloma (hypergamous) and pratiloma (hypogamous), mixed varnas emerged. (4) There are references to the Pahlvas, Sakas, yavanas and Kambojas of North West, Tamils and Sinhalese of South as well as to Mlechas and barbaras the foreign elements. These were referred to as racially distinct elements.

The point of interest here is that the orientalist could not have invented the racial-cum-caste categories in Ramayana and Mahabharata, although of course, they seem to have interpreted the bases of categorisation facilitating colonial domination. However, it could be argued, and many have, that these book-views are at variance from the field-views. It is well-known that the varna scheme is vague and ambiguous and particular varnas may be absent in given regions. (for example, the Vaishyas are absent in the caste structure of Kerala). But, this does not nullify the fact that the varna system is essentially a scheme which hierarchically ordered population based on colour. Secondly, each varna had several, sometimes numerous, castes (jatis) under its rubric. At any rate, co-terminality between text-view and field-view seldom exists particularly in theological matter such as the Doctrine of Creation. Therefore, one is driven to the conclusion that (a) the race-caste link did exist in the ancient Hindu texts and (b) it is wrong to assert that the phenomenon of caste is an invention of orientalism.

II

Having said this I must address the differences among colonial scholar-administrators regarding their understanding of Indian social reality. James Forbes published his *Oriental Memoirs* (vols) in 1813. He uses the terms caste, tribe, nation and

race imprecisely and interchangeably. He categorized the "Hindu race" into 84 classes or castes each separated by rigid laws of endogamy, each differing in physical features, dress and appearance. Forbes points to the distinction based on skin colour "... the inferior castes are of darker complexion than superior Hindoos" (vol 1, p.172.) Admittedly caste and colour (read race) was connected in the analysis of Forbes.

William Ward in A view of the History, Literature and Religion of the Hindus (4vols) published between 1817-20 also uses the terms caste and race loosely and imprecisely. However, he attested the primacy of Brahmins and accepted the ideology of varna as axiomatic. Ward concluded that the caste system degraded the victims.

Caste and race had been conflated not only by colonial scholar-administrators but also by Indians. One Mr. Kashi Nath wrote in 1873 in Indian Antiquary that the Khatris are "descendants of a war-like race", next to Kashmiris, "the fairest race in Hindustan", of "pure Aryan blood" and "next to Brahmins are the most religious class, reading much of the Hindu scriptures". He was offended by an article published in Indian antiquary a year earlier, by J.White, the Ast. Collector of Fatehpur in the North Western Province, who referred to Rajputs, Khatris and Jats as races who shared a common descent. The fury with which Kashi Nath responded asserting the racial superiority of Khatris clearly shows the ease with which race and caste were conflated in 19th century India, not only by colonizers but also by Indians. In fact Brahmins, Rajputs, khatris, Santals, Tamils, Bengalis and many others were referred to as 'races'.

However, it is important to recall here that the race-caste conflation was partly determined by the field situation studied by the scholar-administrators of colonial India. Thus Walter Elliot in his article entitled "on the Characteristics of the Population of Central and southern India", published in the Journal of the ethnological Society of London, in 1868-69 took the position that south India consisted primarily of "races", who had been oppressed by Brahminical notions of caste imposed on the pre-Aryan and non-brahmin people who lived there.

As against the above view W.W. Hunter in his Annals of Rural Bengal 1897, (7th Edn.) maintained that caste was a diverse and regionally specific phenomenon connected with the relatively recent race history which took two forms: (1) Caste was a creation of the Aryan race in Gangetic upper India; (2) Caste in Bengal represented the opposition of high and low races, the conquerors and the conquered. The high castes and high races were co-terminus as was the low castes and low races. Hunter's ideas reincarnated in Risley's racial theories of caste expounded in

1901 Census of India. Risley categorized Indian population into Aryan (upper caste), Dravidian (low caste) and Mongoloid (tribes) races.

In contrast to the views of Elliot and Hunter, Denzil Ibbetson in his Punjab Caste (1916) argued that caste distinction was based on occupation and political power and he designated Rajputs, Jats, Gujjars, Meos etc. as castes and not races. His field study compelled him to conclude that community of blood has been de-linked from the community of occupation when caste demography created imbalances. However, Ibbetson endorsed the distinction between Aryan and non-aryan 'racial stocks' but scarcely invoked the term 'race' in its biological/evolutionary sense. But yet he suggests that the separation of occupation (caste) and descent (race) did exist. Further, caste as a Brahminical vision of society based on rank, purity and life-style was not characteristic of the Punjab. This was reinforced by the presence of Muslims and Sikhs in large numbers. Thus Ibbetson concluded: 1. Caste could be viewed as a bond of blood association; 2. As a designation for immigrants irrespective of their internal variations; 3. Caste as a ritual ranking and status-affirming mechanism and 4. Caste as an occupational or trades-guild system. Thus caste may stand for different things-race, occupation, outsiders, ritual status-singly or in combination in different parts of India.

To conclude, there is a bewildering complexity and astonishing diversity regarding the literature on 'caste', 'tribes', 'races' and 'nations' and it cannot be unequivocally said that these writings played second fiddle to the colonial regime. I am inclined to agree with Susan Bayly who concludes after an excellent and elaborate discussion on colonial ethnography thus. "... concepts of caste, race and national identity interacted in complex and dynamic ways with the changing orthodoxies of evolutionary race theory." (1997:215).

III

It is time that I turn to the nationalist discourse on race and caste. Swami Dayanad Saraswati, the founder of Arya Samaj, in his Satyartha Prakash (light of Truth) contends that Vedic Aryans are the primordial and elect people of humanity to whom Vedas has been revealed by God, their language, Sanskrit, is the mother of all languages. He prescribed varna endogamy to maintain the purity of castes. Common racial origins of Europeans and Aryan Hindus has been endorsed by Lokamanya Tilak too. However, the two most important Hindu nationalist ideologues for the present purpose are Golwalkar and Savarkar.

M.S. Golwalkar, in his We or Our Nationhood Defined consider Hindus as a race. But according to him the Hindu race

encapsulated both Aryans and non-Aryans, that is, Dravidians and tribes. This implies (a) there was an Aryan invasion and (b) Aryans were outsiders. Therefore, Savarkar rejects this view and emphasized culture, that is sanskriti and territory, which should be viewed as Fatherland and Holy land. For him the fusion of common blood and similar culture makes the Hindu race (Savarkar 1969). However, even Golwalkar's definition of race is more culturological. That is why he could see the possibility of Dravidians and tribes being accommodated under the rubric of Hindu race. He writes:

Race is a hereditary society having common customs, common language, common memories of glory or disaster, in short, it is population with a common origin under one culture. Such a race is by far the most important ingredient of a Nation. (1947:26).

Both Savarkar and Golwalkar translate race into *Jati*, meaning species, a biological category. There has to be several species in a society. The hierarchical views of the caste system with the Brahmin at the top fits in with this perspective. The Aryan Hindu nationalist ideologues were interested in sustaining the hierarchical unity rather than racial purity; their version of racism was an instrument of domination and *not* extermination. This is a qualitative difference from nazism and fascism. In the Hindu nationalist rendition the inferior was not excluded but accommodated but in a subordinate rank. This is what caste hierarchy is all about, "upper caste racism" as Gynendra Pandey would designate it (1993 :252). It is here that the Aryan-Dravidian wedge deepens.

The Aryan-Dravidian difference, although is a linguistic one, has caste connotations as the archetypical Aryan Hindu was the Brahmin. The dichotomy also had historical implications as in this view Aryans were outsiders and Dravidians were natives. The notion of Adi-Dravidas brought in the caste element in that they were usually 'untouchables'. "Dravidian" has always been more a linguistic and geographical term until Europeans made it into a 'racial' distinction" (Hellman-Rajanayagan 1997:135). The Dravidian movement was based on the belief that Dravidians constituted a race (*inam*) and in so far as they are non-Aryan, that is lower castes, subjugated by the conquering Aryans the link between caste and race comes alive. Ramaswamy Naicker, known as Periyar, posited a dichotomy between *jati* and *inam*, as the proud Dravidian *Inam* has in Aryan perception became the shudra *jati*. "The Dravidian in Periyar's account has been subjugated to racial, not cultural, suppression by the Aryans" (Ibid" 137) According to him Brahmins had tried to foist their language and social system on Dravidians to erase their race consciousness and therefore Periyar constantly prodded the Dravidians to up-

hold their 'race consciousness'. However, he did not advocate the superiority of one race over the other but insisted on equality for all. Thus the fundamental difference between the two is crucial; Aryan Hinduism is hegemonic, Dravidian Hinduism is emancipatory.

Periyar not only accepted Brahmins as Aryan but also their superiority. But this for a tactical reason, to keep Brahmins outside the Dravidian race and nation. In this perspective the Brahmin could inhabit Tamilnadu, speak Tamil language and thus nationalise herself but cannot become a member of Tamil *inam* (race). After independence the Dravidian parties shifted the emphasis from *inam* (race) to language and territory, that is, to Tamil nation. The feared imposition of Hindi was seen as a racial and religious suppression of the Dravidian by the Aryan race. To the extent Dravidians are constituted by non-Brahmin castes and the Aryans are dominated by Brahmins, the caste element is implicated in the Aryan-Dravidian conflict.

From what I have said so far it is clear that the career of caste is not very different from that of race it is widely acknowledged that the institution of caste has emanated from Varna Vyavastha (system), an Aryan gift. And the adjective race is frequently invoked to qualify both Aryans and Dravidians, although these are linguistic categories. Further, Aryans consisting of the twice-born varnas are believed to be fairer as compared with the darker Dasas, consisting of Dravidians and Adivasis. Admittedly, race is implicated in the distinction between the Aryan upper castes and the non Aryan Dalitbahujans, consisting of the Other backward Classes, the Scheduled Castes and Scheduled Tribes of India to-day, thus like the orientalist the nationalists too have interchangeably used castes, races and nations; both indulged in master narratives ignoring empirical realities on the ground. Therefore, the insistence on semantic purity will be at the cost of intimidating substantive reality.

IV

It is necessary to note here that the tendency to equate caste with race in a neat and tidy vein is also not sustainable. The idea of racial superiority was initially propounded by the French writer, count Joseph Arthuer de Gobineau (1816/82). To prove racial superiority a new science or discipline was established—Anthropometry. But the foundational flaws of this discipline were two. (1) The physical characteristics of the Caucasians (Whites) were taken to be desirable and ideal and (2) an unsustainable correlation was assumed between these characteristics and institutional, mental and moral superiority. Skin colour, cephalic index (worked out on the basis of ratio of head's greatest breadth and length), nasal index, blood group, cross sec-

tion of the heir were the major anthropometric measures. The discipline of anthropometry reinforced racism.

The 'science' of Anthropometry flourished everywhere, including India, for sometime. The Indian data showed that the upper and lower castes of the same linguistic regions- Tamilnadu, Maharashtra, Punjab, the Hindi belt- shared more of these characteristics than say Brahmin or other upper caste samples drawn on an all-India basis. Which is to say to look for isomorphism between the racial characteristics of upper or lower castes was a wild goose chase. But yet racism and caste discrimination shared several common features. For example, exclusion manifesting in physical segregation. The extreme instances of exclusion in the case of racism was apartheid in South Africa and that of caste discrimination in residential segregation of 'untouchables' which persists even to-day in Indian villages. In turn this reinforced the avoidance of commensality (inter-dining) and endogamy (inter-marriages).

If racism and caste discrimination share certain features it is also true that they differ with regard to two fundamental characteristics physical and ideological. As racial characteristics are physically visible, racism can be practiced every where. That is why, in spite of the fact that racism is constitutionally abolished by all states, 'everyday racism' persists with vehemence. Everyday Racism manifests even in impersonal and anonymous encounters in the context of travelling, shopping, dining in hotels etc. But everyday racism changes as particular physical types achieve great success and development. Now the 'yellow race' is perceived as a threat by the white race; the new yellow peril is fast emerging it is also possible to celebrate and uplift one's thus far stigmatized racial identity. This is precisely what is communicated through the phrase 'Black is Beautiful'. Therefore, one can legitimately distinguish between racism which is negative and racism which is positive (Oommen 1997).

In contrast to racism, which is practiced on the basis of physical differences, caste discrimination is anchored to values. Caste discrimination cannot be practiced in situations of anonymity as castes do not have clear cut physical differences. That is why caste discrimination is relatively absent in big urban centres. But the moment the veil of anonymity is lifted caste discrimination comes alive. The phenomenon of caste discrimination is rendered extremely complex because the values involved pull in opposite directions. The State Legal System (SLS) of independent India has made the most loathsome caste discrimination, namely the practice of untouchability, a punishable offence. But the Hindu Religious Legal System (RLS) prescribes that the believer should practice untouchability. For example, Apastamba Dharmasutra warns:

Pollution will occur if these people (read untouchables) are touched, conversed with, or even looked upon. ...If the chandala was touched, you must bathe submerging the entire body, if conversed with exchange words with a Brahmin; if looked upon, observe the lights (Sun, Moon, Stars).

The rationale of caste inferiority and superiority is legitimized though the doctrine of karma and Reincarnation. The religious sanction provided for practising caste discrimination make it extremely difficult to delegitimize it. To complicate matters, as noted above, the SLS and the RLS pull in opposite directions.

It goes to the credit of Indian State to have abolished untouchability and its practice is made a punishable offence through the Untouchability (offences) Act of 1955. The Protection of Civil Rights Act 1976 was passed to plug the loopholes in the 1955 Act. In the meantime the Scheduled Castes gradually came out of their traditional passivity and started interrogating the privileged in the system. This led to the unleashing of atrocities against them particularly by the newly prosperous OBCs as well as those who are experiencing downward mobility among the upper castes. To meet this new exigency the Scheduled Castes and Scheduled Tribe (prevention of Atrocities) Act 1989 was passed. The need for enunciating these new legal instruments is ample proof of the persisting discrimination against the Scheduled Castes.

As in many other contexts the Indian State is well fortified with legal provisions but its ambivalence to implement the laws is proverbial. From 1955, the year in which the practice of untouchability was legally banned, and 1995 that is, within forty years, two lakh seventy four thousand four hundred and thirty eight offences have been registered. This works out to be 6693 cases per year, that is 18 cases per day. It is well known that large number of cases remain unreported because of the dependency and intimidation syndromes which persists particularly in rural India in the relationship between Scheduled Castes and others. But even the reported cases provide eloquent proof to establish unequivocally the prevalence of widespread caste discrimination.

V

One more comment and I am done. It is necessary to remind ourselves that the manner in which a phenomenon surfaces or practiced in a locale is not entirely conditioned by all the attributes of that phenomenon; both space and time would mould it. For example, racism in anti-bellum south of the US in 17-18th centuries steeped in slavery was qualitatively different from racism which prevailed in 19-20th centuries in Brazil, where 'racial democracy' was the proud motto. The racism in both these sites

varied from the abominable apartheid in 20th century South Africa. In India we will look in vain for a mechanical replication of the practice of racism from any of these places. And yet as I have noted at the very outset the Hindu Doctrine of Creation, the charurvarna Hierarchy and the notation of varanasankara connote discrimination based on colour and caste; colour indeed is one of the most visible marks of race. And, what is more, the chaturvarna scheme does not even recognize the panchamas, those of the Fifth Order, the contemporary Scheduled Castes or Dalits. This is not a slip but a deliberate omission because they were below the population line and invested with congenital inferiority.

That there is no neat and tidy co-terminality between the physical types (races) and the social types (castes) is understandable because all the castes, high and low, lived in the same climatic conditions for millennia. Further, the possibility of miscegenation, often surreptitious and illegitimate, always existed. To complicate matters the legitimization provided by religion to the caste system through the theory of karma and Reincarnation reinforced caste discrimination. Which is to say, in the Indian situation it was and continues to be a *coupling* of racial and caste discrimination. And, in spite of the legislative measurers discrimination continues unabated particularly in rural areas as I have noted above.

Finally, facticity alone is inadequate to understand social phenomena. Perceptions are equally important. As the Thomas theorem in sociology upholds, if human beings define a situation as real it is real in this consequences. Earlier we recognize this theorem the better it is for understanding and solving social problems in a humane manner.

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RACISM AND CASTEISM*

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The Rigveda is the earliest written source of the ancient history of India¹. A large part of this ancient text is devoted to narrate a fierce war-encounter having taken place among two groups. Two opposing forces of the Rigveda are: first, on whose behalf the hymns of the Rigveda are addressed to different gods and, second, against whom the same are addressed. Ramprasad Chanda has made an important observation in this regards: "These hymns reveal two hostile people in the land of the Seven rivers now called the Panjab- the deva worshipping Arya and deva-less and the riteless Dasyu or Dasa." (Chanda 1969 p.3) Chanda's this point gets direct support from the following verses of Rigveda:

1. You (Indra) know well *Aryas* and *Dasyus*. (1.51.8)
2. ... he (indra) killed the *Dasyus* and protected the *Aryas* race (3.34.9)
3. Your (Indra) killed rich *Dasyu*.... (1.33.4)
4. All around us are ritualless *Dasyu*, inhuman, who are following alien laws. (10.22.8)
5. Noseless *Dasyu*.... (5.38.10.)

The main point of the first above two verses, is that the Rigveda definitely deals with two different groups of people. The same way the next three verses quoted above deal with the two broader groups, which also were different in their physical, religious and social appearance. Last verse specially makes a reference that the *Dasyus*' noses were flat and small (noseless) as compared to their opponents the *Aryan*. In other hymns *Dasyus*' color is described as dark with dusky skin (1.133.8 and 7.5.3), as compared to the colour of *Aryans*, which was fair and white. About the *Dasyus*, the author of the 'Vedic Index' on the basis of some verses of the Rigveda (1.51.8, 103.3; 2.18.19; 3.34.9 etc.) also comes to the same conclusion and have claimed, the *Dasyus* being as indigenous people of India, are addressed in the Rigveda with

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1. roughly begins around 1500 BC (Massey 1996, PP 5-20). If this is true then there is definite link between racism and casteism in India.

special negative traits, which are nowhere applied in the same text to Aryans. The Dasyus as mentioned above, according to the Rigveda are anaso (without face), anas (noseless), etc. (macdoneld and Keith, Vol 1, p.64)

The above brief discussion based upon the Regveda's text is important, because the roots of the persent caste system go back to the beginning of the Rigveda era, which :

Thus we see that the most important factors in the development of caste were the racial struggle between the fiar-skineed Aryans and the dark-skinned non-Aryans, the division of labour leading to the formation of occupational classes; and the tribal differences, especially among the non-Aryans, which survived the spread of a common Aryan culture. (Dutt 1996, p.23).

So once the seeds of caste system were sowen through the above racial struggle, afterward slowly it got fully rooted in the Indian social system. In the process were involved the creation of number of religious myths and legal rules to support this system. In the Rigveda (1500 B.C) there is a famous Purusasukta Hymn, which very clearly talks about the existence of four castes. (some scholars say this hymn was added in the Rigveda's text at a later stage in order to give a divine sanction to this system). The important verse of this hymn is: " the Brahman (priess) was his mouth, of both his arms was the Rajanya (*Ksatriya*, warriors). His thighs became the Vaishya (traders), from his feet the sudra was Produced" (10.9012). Here in this hymn four castes are shown coming into being from the body of the Creator God.

In the above discussions, one important point needs to be noted is that the above dark skinned non-Aryans do not find any place in the body of the Creator God, according to the above hymns of Rigveda. These non-Aryans are today's Dalits and various Tribals (indigenous) groups of India. With the time, among these non-Aryans; a forced divisions based upon their assigned occupations were also introduced by their opponents. The concept of pollution based upon the purity of the assigned occupations was also introduced, which also gave birth of today's untouchability. To-day among the non-Aryans beside their two broader divison namely Scheduled Castes (Dalits) and scheduled tribes (Indigenous), the Dalits alone are divided into more than 850 sub-groups. Here the Dalits in this way not only are horizontally divided, but they have been also vertically divided, based upon their prescribed occupations' purity or cleanliness. According to Upanishadic vedic literature (which begins around 800 B.C). the most hated groups (by Aryans) were Chandala (a Dalit outcaste group) about whom the Chandogya Upnished says:

Accordingly, those who are of pleasant conduct here- the prospect is, indeed, that they will enter a pleasant womb,

either the womb of a Brahman, or the womb of a Ksatriya, or the womb of a Vaisya. But those who are of stinking conduct here- the prospect is, indeed, that they will enter a stinking womb, either the womb of a dog, or the womb of a swine or the womb of an out caste (Chandala). (Ch.10.7)

Here in this text of the Upanishad a Dalit is compared with a dog or a swine, which shows how the deep roots of hatred based upon caste and race was growing. The next most important text of Vedic literature is Bhagvad gita (200 B.C. to A.D. 500). Which again forcefully supports the concept of divine origin of caste system. Because in the Bhagavad Gita Lord Krishna Himself affirmed that the four castes (Chaturvarnyam) is created by him. (Swami Vireswaranda, p.128).

The last and final document, which reveals the final stage of caste system is the manusmriti (composed during A.D. 1-700). The Manusmriti in the strongest words affirm the existence of only four castes, which include: Brahman, ksatriya, Vaisya and Sudra. Besides these four castes, it says: "there is no fifth (caste)". (P.305). This means Dalits and the other indigenous groups had no place of their as human being. But to explain the existence of the Dalits, the Manusmriti put forward the concept of "mixed caste". Which included those who were born out of intercaste marriage. The main division of such union were named anuloma, when the male partner belonged to the upper caste and the female to the lower caste, and pratiloma, when the male partner belonged to the lower caste and the female to the upper caste. The offspring of pratiloma were considered most degraded. Two such groups (Dalits) were considered most degraded i.e. Chandala (Offsprings of a Sudra male from a Brahman woman) and sapaker (offsprings of a Chandala male and Pukkasa female). About these most out-caste considered groups the Manusmriti says:.

The dwelling of Chandalas and Sapaka should be outside the village; they should be deprived of dishes (apapatra) their property (considered) dogs and asses. Their clothes (should be) the garments of the dead, and their ornaments (should be) of iron, and their food(should be) in broken dishes; and they must constantly wander about(10.51,52).

So by the time of the last text of vedic literature, manusmriti (A.D. 700) got completed, the development of the caste system was not only got established, but also reached its climax. After the vedic period, which ended around A.D.700, we historically can divide the succeeding Indian history into three period: (I) Muslim A.D.700 to 1700, (II) British period A.D. 1700 to 1947 and (III) Post Independenced period 1947 till date. During these three periods, we could have expected positive change in the caste system specially during muslim and British periods, because these

periods were supposed to be backed up by two most egalitarian religious, namely Islam and Christianity. But the historical evidences show instead of these religions influencing the existences of caste based social system of India, these themselves got influenced by this system. (Massey 1996, pp. 26-35).

About the situation during the Muslim period we come to know from the writings of a foreign visitor Alberuni (A.D. 1030). The following quotation from his work throws enough light on the prevailing situation with regard to the caste during Muslim period:

The Highest caste are the Brahman... The next caste are the Ksatriya... After them follow the Vaishya.... The Sudra, who were created from the fee.... After Sudra follow the people called Antyaja (low caste people), who renders various kinds of services, who are not reckoned amongst any caste... The four castes do not live together with them... They are occupied with dirty work... In fact they are considered like illegitimate children; for according to general opinion they descend from a Sudra father and a Brahmani mother as the children of fornication; therefore they are degraded outcastes. (Sachau 1989, vol.I,pp.100-3)

During the British period as far as the religion and social practices were concerned, they maintained the statusquo and followed a policy of non-interference, "actively upholding and supporting the caste order". (Galanter 1984, P.19). "Even the protection of Caste decreed by an Act of Parliament". In an order, it was declared, "due regard may be had to the civil and religious usages of the natives..." (Kay 1859, P. 375).

About the status of caste system in post-Independence period(1947 onward) two official documents help us in understanding it. For example the Report of the first Commissioner for Scheduled Castes and Scheduled Tribes (1951) says about it:

Caste in Hindu society is still the most powerful factor in determining a man's dignity, calling or profession. Such a rigid caste-system is not found anywhere else outside India. All such professions involve handling of so-called dirty jobs like tanning and skinning of hides, manufacture of leather goods, sweeping of streets, scavenging etc. are allotted to some castes also known as harijans (Dalits) which are about 5 crores according to the latest figures available. (p.1)

About the power of the caste system a report of the Backward Classes Commission known also as Mandal Commission in 1980 said:

The real triumph of the caste system lies not in uphold-

ing the supremacy of the Brahman, but in conditioning the consciousness of the lower castes in accepting their inferior status in ritual hierarchy as part of the natural order of things (p.14).

Sometimes we hear that to-day the caste system has changed much. But the Mandal Commission report reminds us about the real truth about this change in these words:

But what caste has lost on the ritual front, it has more than gained on the political front. This has led to some adjustments in the power equation between the high and low castes and thereby accentuated social tensions. Whether these tensions rent the social fabric or the country is able to resolve them by internal adjustments will depend on how understandingly the ruling high castes handle the legitimate aspiration and demands of the historically suppressed (Dalits, tribals and women) and backward classes. (p.20).

So in brief history of Indian caste-system goes back to about 3500 years and it certainly, as seen from the textual evidences from the Rigvedic literature began with the struggle between Aryans and dasyus. As seen earlier in our discussion, these two groups were different racial. Even the scholars have tried to establish racial differences among the four caste groups also. For example Ramprasad Chanda's interpretation of, one of the hymns is note worthy. The words of the important verse of this hymn are "O hero (Indra)! When you came over the sea you brought over it Turvas and Yadu. " (6.20.12) According to Chanda, Lord Indra possibly came across the Arabian Sea along with the people belonging to two groups namely Yadus and Turasas (Chanda 1969, p.15). The other Aryan came from the Central Asia. These two groups met in the land of Old undivided Panjab (now part of it is in Pakistan) and entered into some agreement against the local indigenous people Dasyus. About Lord Indra from the text of the Rigveda we know, he was the Chief of the Aryan's army. If all this is true then later on it was Lord Indra's groups who possibly were considered the second caste known as Ksatriya (warriors). The same Sudra, who were considered once born, where the first three castes were twice born (physical and divine), must be from a different stock racially. This discussion about the racial distinction of four castes need a more careful examination, which of course is not possible to do in this brief article.

But what we are sure is that originally on the basis of the text of the Rigveda and the history of caste system, which follows from that point onward, till now, this system is based upon the racial difference of different groups. Later on there were mixture in blood, because of various physical contacts of males and fe-

males of so called upper castes and lower castes, but certainly their off springs were not accepted among the four caste groups. Therefore today one can find different physical appearances among the people, who fall outside the preview of the caste system, which include Dalits and Adivasis (tribals and Indigenous). (*Ghury 1979, pp. 114-40*).

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CASTE CONTAINS RACIAL “ESSENCE”*

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“**W**ords change in meaning as they move through time and space”- Kenneth Ballhatchet.

The forthcoming UN sponsored Conference Against Racism has once again brought the necessity of a debate on caste system. What marks the uniqueness of Indian society is the discrimination based on caste. Despite the remarkable changes witnessed in the post-independence period, the significance of caste – quite contrary to the expectation of the modernist elite has not diminished. On the contrary, it has surfaced many vulgar forms as the regular occurrences of caste riots, discriminations show. In the light of this reality it is quite justified on the part of the dalit organizations to demand the inclusion of a debate on it in the conference.

The Indian caste system is a complex phenomenon. Political and social changes, external invasions, introduction of new social institutional structures during different epochs of Indian history have left their marks on Indian society. To grapple with the problem of “caste”, we should first define it clearly. It as been said that when a class becomes incrustated by denying connubium (the right of intermarriage) and commensality (the right to common dining) with other classes (clans, tribes) it turns itself into a caste. Of course, customs of endogamy (marriage outside a limited circle) and exogamy (marriage inside a wider circle) were universal. There were customs of eating together at sacred tribal feasts from which outsiders were excluded. Details may differ both in terms of place and time. But the existence of commensality was once universal. The other feature of caste that strikes the observer is hereditary specialization: the inseparability of caste and occupation. In a caste society the work a man does is not determined by his desire but by his birth. It is not only a right but also the duty. Inequalities and special privileges have rendered caste into a hierarchical organisation.

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Difficulties arise with the definition of 'race' especially because of the predominantly euro-centric discourses that inform our understanding of the issue. 'Race' can be literally translated into 'Jati' in most of the Indian languages. In Telugu language, for instance, jati means caste. While racial discrimination is rendered in Telugu as 'Varna Vivaksha' it is important to note that the term 'Varna' also stands for colour. The linguistic scenario in India points to a much complex discursive diversity that renders race to multiple meanings. The purpose of this article is not to equate 'race' and 'caste'. It would be wild to equate race and caste in a biological sense. But quite curiously it would be possible and necessary to find the ideological and philosophical proximity between these two concepts. It is by recognising such possibility only we can draw similarities between racism / racial discrimination on the one hand and casteism/ caste discrimination on the other. Racism and attempts at racial discrimination must be defined in relation to caste in Indian society. Here India appears to have two complementary sociological miracles: the newborn 19th century racism from the west and the ancient [Vedic Aryan?] brahminical philosophy premised on caste hierarchy. These two overlapping philosophies show some commonality.

Before we draw ideological similarities between caste and 'race' we need to however briefly look at Indian cultural history. Because, the Indian traditions have been very eclectic and fluid we need to study early Indian traditions carefully. Early Indian social history beginning with Indus valley civilization and continuing to 2000-1500 B.C. is important for it is during this period, the oldest part of the vedas was composed and here we encounter the term 'Arya'. In 500B.C., for the first time we come across the word 'Anarya' (non-Aryan) in Sanskrit literature referring to the aboriginals of India. As Max Weber rightly points out the word "Arya" never stood for race. Dr. B.R. Ambedkar also agrees that the word 'Arya' has got only a cultural, religious and social meaning. The myth of "Aryan race" was the brainchild of German savants and Hindu protagonists like Bal Gangadhar Tilak.

The great cultural struggle between Aryans and Anaryans has taken the form of religious struggle opine some sociologists like Doellinger. The struggle between priestly caste (Brahmins) and warrior caste (Kshatriyas) can be witnessed during the Buddhist period. Being Buddhists, Maurya rulers had to face revolt from Brahmins. Thus the Indian history witnessed caste struggles. The term "Arya" comes out in another light in Kautilya's Arthasasthra. Apart from religious and cultural senses, the word "Arya" in Arthasashtra must be seen referring to citizen or a member of state with full political rights. Thus the term "Aryan" race was given cultural, religious and political meanings in different epochs of Indian History.

The term 'race' in European history is of a recent origin. The oppression of one people by another people was justified by the concept of race. The specific ideas of race, and its interpellation with other oppressive ideologies, imply that they arose in a particular time and space. 'Race' theory was replicated in various branches of natural science, social histories and state philosophies. The influence of theories of race on scientific and historical explanations has been unmistakable. The German term 'Rasse' ascribes 'biological' meaning to race - skin colour, cephalic index, nasal index, and eyelid colour being characteristics of 'race'. From this false physical anthropology, intellectual and mental differences were also deduced. It is quite astonishing that the 'Vedic Aryans' were the heroic inspiration to the Nazis. Thus the ancient Indian (Aryanism, Brahminism) gave impetus to modern Nazism, one of the cruelest forms of race, which caused death of millions of people. Is there anything wrong to call the 'bunch of thoughts' of Indian Vedic Aryan racism as Hindu fascism or Hindu Nazism?

As stated earlier, 'race' in European languages is a comparatively recent term, and its etymology is not very clear. Race in English covers a multitude of varied meanings as ethnicity, tribe, class, religion, nationality, caste and so on. Race in Arabic means a family, a lineage, a natural kind and also a high breed of horse. Notions of purity and pollution inform racism as also in the case of caste system. Here come philological, historical, sociological and ideological meanings of racism. Ruth Benedict says that racism is a doctrine that believes that one ethnic group is destined to congenital superiority. This definition applies to casteism and caste discrimination also. History tells us that the meaning of the term 'slave' changed from time to time and place to place, Slavery in Ancient Rome or Greece was different from the "negro" slavery in modern America. Dr. Ambedkar argued that 'untouchability' of Indian casteism is worse than slavery. If European racism was a result of colonialism then, Nazism a result of imperialism, Zionism of globalism. Untouchability is quintessence of Brahminical casteism.

Racial ideology informs the Indian caste system. The racial ideology of exclusion of certain groups from the community resulted in the form of untouchability. Notions of purity and taboo are the basis of the practice of untouchability. These notions are not a matter of the body, but are fundamentally concerned with the cultural and moral conduct. As Peter Robb rightly says these cultural and moral differences are also seen in many European theories of race. For the Brahminical ideologues, the idea of Jati doesn't mean racial as it evokes oneness of nationality. But the idea of Jati (caste) is racial in its essence of "mutual repulsion, compulsory heredity (descent), Inequality resulting in hierarchi-

cal socio-economic organisation and duties (Dharma)". By the notions of purity and taboo and fearing miscegenation caste contains racial 'essence'. Racism is of recent origin but Indian casteism has a history of nearly 2000 years. In the Indian social organization, 'caste system' has been the evil cause of many problems facing India. The ruling elite in India apparently finds it enigmatic enough that they even find it difficult to face it squarely. That is reason why the rulers refuse to go to the United Nations "World Conference Against Racism" which will be held in Durban, South Africa from August 31 to September 7, and allow a debate on the question of caste discrimination and intolerance and on violence against dalits (Scheduled castes) and Adivasis (Scheduled Tribes) its causes and consequences.

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CASTE AND RACE RELATIONSHIP

SOME EXPERIENTIAL EVIDENCE

Prof. (Dr.) Kancha Ilaih

The debate whether the Indian caste system is race related or not has acquired significance in the context of the UN conference at Durban, South Africa on race related atrocities and inequality in the world. It is a globally known fact that racial differences are structured on the basis of colour, complexion and genetic formations of the people. The racial physical differences form the primary basis and move on to racial socio-psychological formations. Now science has proved that every thing can be changed. The biologically structured colour differences will under go mutational changes by inter race and inter caste marriages. The socio-psychological make-ups that moulded human consciousness based on colour superiority, inferiority, beauty, ugly and so on can be transformed through proper ideological debates. One can completely eradicate the intolerance and xenophobia that have become part of the human treatment towards others.

The world must know that the Indian masses have suffered the greatest forms of intolerance and xenophobia ranging from unseability, untouchability, rape, murder and elimination of castes and communities altogether because of caste system. And the caste is physically racial and socio-psychologically barbaric. The Indians need to get out of it and the rest of the world must not get into it. If Euro-Afro-American racism is physio-psychological and cultural the Indian race centered casteism is spiritually fascist as well. The lower castes not only were rendered unseables and untouchables but were/are not supposed to attain spiritual salvation. They could/can not go to temples, could/can not read the spiritual texts, cannot become the priest at all. As the Brahminic Hindutwa forces are ruling India, with Ram temple issue as its centrality, with a theocratic bent of mind the process of distancing the Dalit-Bhaujan masses to all modes of socio-spiritual and political institutions will increase many fold in near future.

The Indian racial structures are three fold: Aryan, Dravidian and Mongoloid. The Aryan racial features even today are quite strong in North and North-West India. The Dravidian racial features are strong in South India. The Mangoloid racial

features are visibly strong in North-East India. Though some amount of racial mixation has taken place even today one can see the differing racial features across India. One can see in all upper castes like Brahmins more Aryan features with an ideological ownership of Aryanness. All Brahmin communities of the country, even today, trace their origins to Aryan racial blood. The Vaisyas, who are the next numerically and financially strong caste after Brahmins trace their blood roots to Aryan race. All Vaisya organisations, including those of South India, call themselves Arya Vaisya Sanghams (Associations) even today. Even in the down South among the Iyngar Brahmins one can see strong Aryan features in terms of their face, nose hair formation. Among the North Indian Dalits one can see strong Dravidian features in face, nose and hair formations as similar to that of down South Dravidians. This does not mean no racial mixation has taken place all these years. But in majority cases the difference succinctly visible. Higher the caste status higher would be the Aryan physical/mental features. More significantly higher the caste status stronger would be the ownership of Aryanness as a process of social consciousness. Similarly lower the caste status higher would be the Dravidian characteristics.

It is a known fact that in the down South the Sudras under the leadership of Periyar Ramasamy started a Dravidian movement in order to fight the Brahminic Aryanism in southern India. Dayanand Saraswati's (a North Indian Brahmin) movement not only owned up Aryanness but named the very organisation as Aryasamaj. In his book Satyarth Prakash he said "a Brahmin should marry a woman of Brahmin order, a Ksatriya, of the ksatriya, a Vaisya, of the Vaisya and a Sudra, of the Sudra". Hitler in his Mein Kampf put fourth a similar argument that the Aryan being a most superior race in the world "should marry only a Aryan woman" so that the racial purity should be maintained. He justified his argument by invoking a natural theory that "a dog mates only with a similar dog and mice mates only with similar mice". This mode of Hitler's racial theory did not see the on going process of cross breeding among plants and cross cohabitation among animate species in order to hybridize themselves. It appears that Brahmins being the original Aryan invaders, in order to maintain their racial purity, prohibited sexual intercourse between Aryan men and Dravidian women and vis-versa. Caste has its roots in this legal, spiritual and social prohibition of human and social intercourse between the invading hegemonic Arayan race and the indigenous Dravidian race. The four varna theory repeatedly talks about Varna (colour) being central for social segregation in ancient period and in the nationalist period even the so called reformist Brahmins like Dayanand Saraswati affirmed the Varna (colour that turned into

caste over a period of time) based man-woman relations. Fifty years of constitutional governance did not change the race and caste centered marriage patterns in India.

CASTE AND XENOPHOBIA

The Brahminic racial xenophobia has reached its zenith in constructing the cow as sacred animal and in rejecting a similar space for buffalo as it is a black animal. About 75 per cent of Indian milk products are made out of buffalo milk. India's milk economy – large number of Indians consume milk, curd, ghee in every day life-is essentially a buffalo economy. While cow being a universal animal there is nothing specifically Indian about it. On the contrary, the buffalo is Indian (at the most South Asian) animal with a beautiful black colour. It was domesticated and trained to be a milch animal by the Indian ethnic masses, perhaps much before the Aryans came to India. But because the hegemonic Brahminic forces ostricized black human beings, black animals, the very colour black has been given a very low status. That is the reason why Periyar adopted as his flag and dress colour. The Aryan Hindutwa organizations even today attack the cow flesh eaters as it is treated as Aryan animal. The Dalits and Muslims of India being cow flesh eaters get attacked and they do not bother about the buffalo getting killed. There are number of Brahminic Go Rakshana Samithis (cow feeding associations) in India and these organisations do not feed a single buffalo. Does it mean that these Brahminic forces do not drink buffalo milk? They drink, cherish the buffalo milk and make all kinds of divine foods out of it, but they dislike that animal because it is black in color. This kind of negation of the black colour of either humans or of animals is clear evidence of the Brahminic xenophobia that operates in India. Such xenophobic practices resulted in tremendous social ostricism of the ethnic coloured people and animals as well. Brahminism as an ideology is xenophobic in essence. It constructed a language of human degradation. The racial language that black is inauspicious, the encounter of black buffalo, black cat is treated as devilish itself built a consciousness of racism. The victim of this language and culture are the people of black colour—the native and ethnic people.

WORST FORMS OF INTOLERANCE

In describing the productive lower castes as Sudras, Chdalas, Rakshasa, Dasyus, Dasas and so on in the Indian civil society the black colour was used as a central element. All the Brahminic paintings, literary descriptions show that black and Sudraness and Chandalaness were made co-terminous. The intolerant behavior among the Brahminic children towards the lower caste children and adults is constructed with a “black-ugly”

image of the lower castes. As a result from childhood itself the Brahmin Baniya children are taught to hate the productive occupations of the Dalitbahujan castes. Their body gets hated as pollutant, their housing environments get described as pollution; their food habits get treated as devilish. The lower castes of India suffered the xenophobic treatment of the Brahminic upper castes for centuries. Because of the xenophobic behavior of Brahminic castes the productive skills of the Dalits and OBCs suffered great historical mutilation. The lower castes of India were responsible for building the Indian symbols of civilization like pot, wheel, plough, spade and so on. For that the upper castes did not reward them. On the contrary, they imposed spiritual sanctions on them. Constructing science and technology within Indian subcontinent and evolving civilization was not taken with any kindness. Their basic rights of spiritual interaction with Hindu gods, the right to read and write, the right to become a dignified being at spiritual places were taken away by force. Perhaps no other society suffered brutal violence in the world as the Indian lower castes suffered. We know that the Native-Americans, the African-Americans suffered tremendous violence in the West because of racism. Some of them suffered social elimination. The Indian lower castes suffered even more violence and atrocity because the divine images were constructed as beings who incarnated to punish and kill the lower castes, if they assert their rights.

The Brahmin theoreticians constructed a theory of Danda (brutal punishment) by creating institutions like jails exclusively to punish the lower castes. Thus, the Aryan Hindu gods themselves remain the killers of the lower castes. This did not happen in any society. The prophets like Jesus and Mohummad, were said to have played the race neutral roles. Liberated people of all races from bondage. They taught that human beings of all races are equal before god but in the Brahminical spiritual realm the lower castes have no equality and no liberation from bondage. In India the god images like Bbrahma, Indra, Vishnu and Rama played the Aryan racist violent roles. In this background of the Daltbahujans not having any spiritual space and having a history of suffering violence in spiritual and social life the Ram Mandir (Ram temple) movement of Hindutva forces sends chill down the spine of lower castes of India. It is in this background that the United Nations conference being held at Durban South Africa must be allowed to discuss the caste question and the xenophobic and intolerant social relations that caste built in India.

CASTE, THE ACADEMY AND DALIT WOMEN

*Kalpana Kannabiran**

The ongoing debate on caste and race is taking place in the context of a larger advocacy on discrimination and dalit human rights and has centred on the articulation of caste s discrimination, and the various forms of that discrimination – exclusion, untouchability, denial of constitutional rights and guarantees, violent subjugation and histories of slavery – as resonant of internationally recognised forms of racism. This article will focus on two aspects of the issue that have not been touched upon so far: questions for the sociology of caste and the articulation of caste as race by dalit women.

Caste has formed the centrepiece of sociology for close to a century now. While the practice of caste has been opposed and consistently resisted by anti caste movements in the country, caste as a knowledge system in sociology has tended to follow the well worn paths of a “depoliticised” social anthropology, creating sharp disjunctures between social practice and knowledge systems within the academy. Further, the disaggregation of social practice in the curriculum of sociology, into various “topics” and “papers”, by situating caste for instance in Indian Society or in Social Institutions, and the politics of caste within social movements, erases the potential for a radical pedagogy, and invisibilises the radical politics of anti caste movements within the academy even while “teaching” them. While this has undoubtedly begun to change, with sociologists like Sharmila Rege raising these issues within the university system, the power of traditional authority on caste is difficult to dismantle. We also know from our experience over the last half century at least that sociologists have periodically been called into the service of the state, particularly to supply “knowledge of society” that could then inform policy. And this knowledge must, by definition lend itself to disaggregation and be apolitical, in short, the knowledge that the sociologists generate is expected to keep the status quo.

In reiterating its stand that caste and race are not only dissimilar, but also practices that cannot be compared, let alone brought within the purview of the same international instruments, the Indian Government is relying on this knowledge that has been produced by the discipline of sociology. Several pieces that have appeared in the print media have made an often dismissive reference to sociology, in the course of asserting that their concern is not with “sociological categories” but with lived

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experience. This feeds directly into a “separate spheres” argument and allows sociology to continue with its project of producing knowledge in the service of power, legitimising the exercise in the process. It is time now to call the academy into question, and to engage with systems and processes that produce knowledge, by providing alternative paradigms of knowledge, theory and understanding, and asserting their legitimacy within the academy.

It is time to remind ourselves that the theorising of caste has its intellectual history, not in the “scientific” work of anthropologists of European origin and their “native” heirs, but in the political work of Indian ideologues who were committed to the establishment of an egalitarian social order, and who in that endeavour saw caste as the single most powerful obstacle to the realisation of that commitment – Jotiba Phule, Savitribai Phule, Pandita Ramabai, Periyar, and Ambedkar, to name the most influential ones. Phule’s accounts of caste in the nineteenth century are grim. Ambedkar’s concerns in the twentieth century centred on finding ways in which Independence could bring freedom to the oppressed, affirmative action and positive discrimination being an important first step.

At the time that Phule, Ambedkar and Periyar were articulating an understanding of caste in terms of lived experience and political reality, Risley and Guha were attempting in their own ways, a “scientific” racial classification of caste, from their respective locations within colonial administration, a fact that must enter the account. Beteille’s assertion [March 10] of the conclusiveness of Boas’ findings on the clear separability of race as biology from social grouping is questionable, and contrary to his claim, far from settled. Guillaumin gives us a radically divergent and more plausible view, one that is strengthened and validated by the recent findings of the Human Genome Project that variations in genome sequences between ethnic [“racial”] groups is negligible. The physical differences between races can perhaps be accounted for by reference to environment and habitat, not biology. To restate the case, race is a social, not a biological construct.

Arguments on homogeneity, the measures of likeness and commonalities and the parameters of comparison are settled within the academy, hence interventions must engage with these arguments, if for no other reason than to have a long term impact on the content of education. One of the arguments [naturally from scholars of caste] put forth against the move to bring caste within the purview of the Racism Convention has been that the scheduled castes are not a homogenous category. Outside the realm of this scholarship, but within the realm of reality, no social group is completely homogenous across region and time. The Scheduled Castes are no exception. Yet, it is perfectly legitimate to assert the commonality of experience across cultural, linguistic, regional, national and ethnic diversity. Ambedkar’s coining of the word Dalit was part of this exercise in

unifying the oppressed and forging a common cause. The current move to bring caste within the ambit of the Convention on the Elimination of Racial Discrimination is not a move by the United Nations alone. It is far more importantly an assertion by Dalit groups across the country, part of an effort to realise the visions of anti caste movements in the earlier part of this century.

The second concern of this article is to underscore the efforts of the National Federation of Dalit Women in bringing this issue into focus. The NFDW has been very active on this issue and has participated in the preparatory meetings along with the other Dalit human rights groups. In the draft Declaration on Gender and Racism drafted in February, the Federation resolved to fight the specific oppression of women from marginalised groups, whose situation as dalit/indigenous/minority is only compounded by their being women. Apart from the fact of social exclusion at various levels, the NFDW asserted that "Descent based discrimination based on caste results in the violent appropriation of and sexual control over Dalit women by men of the dominant castes, evident in the systematic rape of Dalit women and the perpetuation of forced prostitution in the name of religion through the devadasi system." In a context of increasing religious nationalism, fundamentalism and dominant caste chauvinism, of globalisation and its disastrous consequences for the poor [almost exclusively dalit], of an abdication of democratic governance by the state, the declaration asserts that the situation of Dalit women is particularly troubling. The draft Declaration calls upon governments to review and reform national laws related to violence against women, to gather statistical information on the status of dalit women, to offer them protection, to redistribute land to women of marginalised groups, and to work alongside the international community on issues of discrimination. An extremely significant point in the declaration, and one that ties in with the first part of this article is the concern of the NFDW over the engineering of partisan, hegemonic representations of history in textbooks and curricula at all levels. "In practice", the declaration says, "caste based discrimination, aggressive communalism and marginalisation of indigenous peoples have meant the denial of the freedom to live without fear, threat and intimidation, the denial of equality before the law, organised ghettoisation and hate preaching in educational texts. Education through policy, syllabus and the text book is being used as a tool for the crude exclusion and perpetuation of stereotypes..." The effort of the Federation to forge a broad based common platform with other groups that suffer systematic exclusion in an increasingly virulent right wing environment is both courageous and radical, while at the same time engaging with and calling into question the disaggregation of knowledge within the academy. The campaign for the inclusion of caste within the definition of racism is in fact a rewriting of caste as a knowledge system that derives directly from lived experience and the politics of that experience.

DURBAN, CASTE AND INDIAN DEMOCRACY

*Prof (Dr.) Kancha Ilaiah**

To Ascertain public opinion on the question of inclusion of caste on the agenda of the United Nations World conference on Racism being held in Durban, south Africa, a national committee was constituted by the Prime Minister headed by Mr. Ranganath Mishra, former Chief Justice of India. The chairmen of the Scheduled Castes and Scheduled Tribes Commission and the Minorities Commission are its members. The national committee held its hearing in Hyderabad on June 4. Unfortunately, it was held in-camera and initially it planned to hear only the version of carefully chosen organisations. But several (about 30) SC, ST, OBC and women's organisations of Andhra Pradesh sensed this move and forced the committee to hear all opinions, which it did subsequently.

All organisations, except the few chosen ones, told the committee that caste must be allowed to go on the U.N. agenda. Unfortunately, the officially chosen and invited organisations had no idea about the Durban conference and what it would be all about. Only the organisations that went on their own made informed and forceful presentations. Several mass organisations gave concrete reasons why caste should be included in the Durban conference. Let me sum up some of the arguments.

The conference at Durban is against race, racial discrimination, xenophobia and related intolerance. The question is whether caste fits into this definition and India should allow caste to be debated at the U.N. conference. The argument of the Union Government is that the U.N. should not interfere in or internal affairs. That India has evolved enough tools to handle the caste question. That the attention of the U.N. conference should not be diverted from the question of race, about which India is deeply concerned. All these arguments sound hypocritical.

When the issue of race was put on the U.N. human rights agenda, Britain and America, where racial discrimination was being practiced, were permanent members of the U.N. and had strongly rooted constitutional democracy in their nations. The public opinion within those nations was forcing them to enact laws that could establish mechanisms for handling racism, xenophobia and other forms of intolerance. India at that time argued that racism was too major an issue to be left to the respective countries to evolve tools to handle. Nehruvian intellec-

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tuals, who argued for pushing racism on to the U.N. agenda, based it on their own experience of xenophobic/intolerant treatment by whites of all coloured people, including Indians, in the West. This colonial experience of the Indian Brahminic elite itself was one of the grounds for asking for abolition of unequal race relations. The Indian upper caste elite suffered such xenophobic intolerance for about 200 years and at that time the distance between the white rulers and the lower castes was too far and was mediated by many castes in between.

Gandhi's experience in south Africa and the argument that Gandhi built against racism were India's strongest points. It is also true that Nehru and a host of other Indian leaders who studied in England carried their memories of racist treatment in their everyday life as students in the West. Nehru and other Indian leaders were strong votaries of the proposition that race must be included on the U.N. human rights agenda. But except Ambedkar, who had the double experience of caste xenophobic intolerance at home and racial intolerance abroad, all other Indian leaders, who experienced racial discrimination and were angry with it were upper caste men and women.

They never realised that similar, infact more horrendous, intolerance was practiced in India because of caste. They never thought that the pain they suffered was much less than the pain the Indian lower castes suffered. The caste oppression continued for thousands of years. The Indian upper caste elite who suffered racism abroad had a liberative channel from that treatment when they came back home, but for the lower castes there was no such liberation at all. It was/ is a long drawn out suffering without much hope.

Even now the Union government wants an undiluted debate on racism because many NRIs are suffering racism in many Euro-American countries. All NRIs have painful stories to narrate to their parents back home; many of them are either politicians or bureaucrats even in the present ruling dispensation. Is it not true that the vast majority of NRIs are from the upper castes? Do they have the patience to listen to the Dalit narratives of pain back home? What is wrong if such Dalit narratives of suffering are talked about in all forums, national and international? When the upper castes feel relieved of some pain by merely talking about it, should they not concede that much to the Dalits also in all forums?

Is it not ironical that the experience of sufferings of the Indian upper castes abroad is taken as sociologically real and the sustained suffering of the indigenous people, like that of the Blacks in the form of caste, does not become a sociological reality. Even if such a thing is acknowledged they do not want it exposed. When victims of racism want to draw international attention and seek aid and help, why can the voiceless not seek such an attention, aid and help of the world community. Taking the

caste issue to the U.N. forums is not only for the sake of debate. It would draw the attention of the world community so that more aid might flow in for taking up educational and empowerment programmes. Such programmes will go a long way in our development. Instead of taking a loan even for causes such as primary education for millions of lower caste children why not ask for charity for primary education by telling about the historical magnitude of the caste problem?

What will happen to the prestige of our democracy amount the comity of nations if we talk about cast, is another question that all our ultra-nationalist theoreticians ask. By allowing the race question to be raised did the prestige of Britain and America Suffer in any way? While being permanent members of the U.N., by allowing racism to be debated and measures worked out their democratic credentials have been strengthened. It helped the white communities examine their own self in the context of the international critique. It gave confidence to the Blacks. They began to respect their democracy more.

The Third World countries that asked for a debate on race only shared the moral agony of the Blacks. Where as in the case of caste and the kind of atrocities, ignorance and poverty the lower castes suffer, the capitalist West owes a moral responsibility to uplift them as much as the upper castes of India do. The colonial world benefited from the cheap labour of the advises, Dalits and OBCs. If the Union government does not even concede the existence of caste how can these communities, in the context of globalisation, raise globally relevant questions of compensation? The white rulers of Britain and America, could have easily vetoed any proposal on race. But that would have resulted in their democratic credentials becoming suspect in the comity of nations. More importantly, the victims of racism would have lost confidence in their own governments. But by conceding the truth of racism they gained on all fronts. Their democracies are surviving without facing any major threat.

If the Government of India conducts public hearings such as the one held in Hyderabad and uses them as an eyewash, the international community will laugh at our hypocrisy. The masses who are victims of the caste system will lose confidence in India democracy. It is known that at all levels of Government the upper castes are holding the positions of decision-making. The representatives of the victim communities, who get an opportunity to sit in such committees, may be made to endorse the decisions. How does that convince the educated among the victims? Particularly, when this Government is backed by organisation such as the VHP and the RSS, which keep arguing that abolition of caste is detrimental to the Indian tradition of Varna Dharma? The day the Dalits lose faith in it because that they cannot speak out their agony, Indian democracy will begin to crack.

WE THE OTHER PEOPLE

*K G Kannabiran**

The saga of “the other people has not ended. It is shifted to the international arena. They no longer appear to be part of “We the People”. Serious efforts to bring these “the other people”, who are rotting as non-persons in an irredeemable and degenerate caste ridden society, to the status of persons were on for some time prior to independence. The people of this sub continent emerged from the status of subject to that of citizen after 15 August 1947. After the coming into force of the Constitution all of us attained a political status with well-defined rights. The most articulate representative of the other people wrote into the constitution human values and gave it a human face. There was recognition in the Constitution that for the other people to truly become “we the people” specific safeguards and positive measures were necessary. Caste was not abolished by the Constitution. Provisions were made to treat all castes on par with each other. Article 15 (2) acknowledges the fact of discrimination and unequal treatment. According to this clause, “No citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regards to (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintain wholly or partly out of State funds or dedicated to the use of general public”. The other people, who were for the first time included in “we the people”, even after fifty years, have remained “the other people”. Constitutions and Gods have always been good. The problem has always been with the interpreters, the lay and the judicial. The Constitution makes untouchability an offence. And it persists. Bonded labour and child labor come from the ranks of Dalits. Both the practices have been made penal and abolished by the Constitution and yet they persist. Offences against human body enumerated in the penal code are not applicable if Dalits are the victims. The entire administrative, judicial and political systems are still exercised by the upper castes despite large-scale movements against these hegemonic practices. A few are allowed to climb the social order as political leaders or as judges in the

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subordinate judiciary or as High Court Judges. In education and government employment Constitution has introduced the Reservation as a principle of ensuring equality to the Dalits. The present Ruling Party at the Centre attacked Reservation as the prime cause for diminishing merit and efficiency in administration, and by stoking the anti reservation stir brought down the Government. headed by V P Singh which stood for Reservation and Secularism. Thus the bogie of Reservation blown out of all proportions with the reality at ground level has created a feeling of hatred for the Dalit community among the middle class intelligentsia. These rights they secured after prolonged litigation appear to offer them a quasi freedom and a teasing illusion that they are reaching the stage of genuine acceptability into the social order as equal members. It is more difficult to fight this teasing illusion than to fight downright subjugation and the status as non-persons.

In the rural areas violence against the rural scheduled castes continued unabated. Recognising that violence against Dalits continues even after 38 years of Independence, unabated Parliament enacted The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989, a law creating special offences which were made triable by special courts. Look at the practices which continues to exist and which the Parliament have identified and inventoried them as offences under the Act. Very few of us would have gone through the definition of "Atrocity" in the Act; nor do many of us have heard about or witnessed the indignities to which Scheduled Castes and Scheduled Tribes are subjected continuously which were therefore categorised as "Atrocities" against SCs and STs in this Act. Social atrocity has always been a matter of charity or compassion and never a matter of reform or correction. Where social reformers have failed a Constitution may not succeed unless the words in the Constitution are transformed into deeds.

Section 3: enumerates 22 categories of atrocities which are made punishable. Unless we read the enumeration of the atrocities set out, we may not be in a position to understand why Ambedkar wanted to get out of the Hindu system, why the Schedule Castes want to equate the conduct of upper castes should be made an International issue by demanding that discrimination and violence against scheduled castes. The enumeration of offences is firmly based on existing practices.

- (1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-
 - (i) Forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;
 - (ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dump-

ing excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;

- (iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;
- (iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;
- (v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
- (vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begging' or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;
- (vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote a particular candidate to vote in a manner other than that provided by law;
- (viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;
- (ix) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
- (x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
- (xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;
- (xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;
- (xiii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;
- (xiv) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or

access to;

(xv) forces or causes a member of a Scheduled Caste or Scheduled Tribe to leave his house, village, or other place of residence,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

(i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or Scheduled Tribe to be convicted of an offence which is capital by the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;

(ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall not be less than six months but which may extend to seven years or upwards and with fine;

(iii) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;

(iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;

(v) commits any offence under the Indian penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with imprisonment for life and with fine;

(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of

the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence; or

- (vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.!

These atrocities recognised by the Parliament are against persons who are born into the Scheduled castes and Scheduled Tribes. This is the first time "Atrocity" has been used and defined as a legal category.

This law was intended to afford speedy justice, the component of speed was to act as a deterrent. The lebensraum provided by the law to evade, defeated the law without any necessity for open defiance. The assault on Dalits is legitimized by the acquittal of assailants in courts. Interpretive exercises by courts helped defeat this special legislation. The offences under the Act were made triable by a Special Court whose presiding officer shall be a sessions Judge. This is entrusted to the Special Court for purposes of speedy trial, an aspect of Art 21 of the Constitution. This was interpreted by the Apex Court to mean that like all other criminal offences it should pass through the committal proceedings before a magistrate. This enactment now remains only in the statute-book and will slowly fall into desuetude. All this is achieved without the help of a loaded jury system as in the U S. Thus we have laws, constitutional provisions creating special presidential commissions, show cased to tell international bodies through the obliging Attorney Generals that the caste of the Dalit cannot be equated with race.

In this country where everybody is born into a caste, getting rid of caste disability has not been possible. Nor the upper caste convert into other religions would give up the unequal status he enjoys over the lower caste. We are dealing with hereditary untouchability as Ambedkar called it. They may not bear the characteristics of a race. Art.341 and 366 which defines Scheduled castes use the words caste and race in juxtaposition making either or both of them eligible for inclusion in the list of Scheduled castes. Their identity is assured by caste practices. The habitats are quarantined to ensure that proximity does not pollute the upper castes. This is just a euphemism for informing them of their subservient status. This hegemonic culture is there for every body to see. Legalism and sociological explanation of Caste and Race has no relevance to this debate. The emphasis is on such discrimination and related intolerances.

In fact Ambedkar demanded that Scheduled Castes be accorded Minority status. He desired that the castes included in the Scheduled Castes Order 1936 be declared a minority. He pointed out that it has all the characteristics of a minority. He

was anxious to secure a minority status as it would have brought the dalits out of the Hindu fold and would have been a distinct identifiable group.

James Baldwin, the well known Afro American writer in one of his essays "Letter to My Nephew on the One Hundredth Anniversary of the Emancipation" sets down the condition of the Negro which is no different from the untouchables in India. He points out to his nephew "you were born where you were born and faced a future that you faced because you were black and for no other reason. The limits of your ambition were, thus, expected to be set forever. You were born into a society, which spelt out with brutal clarity, in as many ways as possible, that you were a worthless human being. You were not expected to aspire to excellence; you were expected to make peace with mediocrity." This is what the caste system tells the untouchable. The slaves were not transplanted in the United States to give them democracy. The promise of democracy was not made to them. In India despite the grandiloquent declarations in the Constitution birth and descent is the criteria. The identification of this targeted collective of 160 million is not difficult; nor is it the issue. Racial discrimination targets the Black for trying to rise above the subservient status allotted to them. They and the dalits are needed for the performance of hard labour on their fields and for performing menial chores. They should be, to better function in their allotted status, quarantined and rendered invisible. Every society has such collectives who are targeted to such discrimination and violence and the perpetuation of such a collective can only by descent. The principle of power is at issue and not some sociological definition or description of caste, which does not tally, with the meaning of race. 160 million dalits are demanding that untouchability and other forms of discrimination based on descent practiced in India be equated with or included in racial discrimination and other related intolerances. Arguments based on sovereignty to bar scrutiny of obnoxious and obscurantist practices violating human rights and dignity are irrational. Identification has never been an obstacle to employ discriminatory practices and violence on dalits. You can always ask them to wear badges as Hitler's Germany did to the Jews and as Taliban has done to the Hindus living there, by their latest Fatwa!

After the Declaration of Human Rights it is necessary to explore violation of human rights in its various specific forms occurring in various societies which the member states are unable to eradicate or unwilling to do so on account of the power equations within the member states, They are not willing to highlight them as wrongs, violations of human rights and thus barring recognition as such by the International Order. The Caste system in India and the hereditary untouchability and the irrational and violent conduct these practices engender are crimes against humanity under International Criminal Code.

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ARTICLE 9

GENDER & RACISM : CASTE BASED DISCRIMINATION IN SOUTH ASIA* (ENTRENCHED FORM OF DISCRIMINATION ON THE BASIS OF WORK & DESCENT)

*Ms. Ruth Manorama***

“Racism, Sexism, Class domination, Denial of People’s Rights , Caste Oppression are all woven like a spiders web. Singly and together they are the root of many injustices which causes much suffering and death”

Women are victimised by racism and racial discrimination in a special way, not only because there are formal and informal structures that unduly subordinate and impoverish women, but also because of their **colour, occupation (work)_descent or national or ethnic origin**. It is important therefore to examine the connections between racism & gender discrimination (sexism) in order to establish linkage between institutional practices and policies that oppress them **as women as well women from the racially discriminated communities**. In a way both racial discrimination and Sexism results in **disproportionate power, privilege and rewards to a particular privileged group**.

- The Inter-section of race and gender whereby racially discriminated women and girls experience discrimination from the dominant race / ethnicity on the basis of being female. They are unable to receive justice for domestic or sexual violence because of their race and ethnicity, either from the state or from the non-state actors.
- In addition racially discriminated (including all other related forms) women experiences as a result of patriarchal family norms and undemocratic at practices which add an to the double burden as well gender based division of labour.
- Finally the racially discriminated women often the most poorest who are deprived of enjoyment of economic rights pushed to the margins of societies. Therefore they are traditionally have been excluded from the Human Rights movements an

* Presented by at the EXPERT GROUP MEETING (EGM) on the Theme Gender & Racial Discrimination organised by the United Nations Division for the Advancement of Women ((DAW) in Collaboration with the Office of the High Commissioner of Human Rights (OHCHR) and the United Nations Development Fund For Women (UNIFEM) Zagreb, Croatia, 21 - 24 Nov. 2000.

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International bodies leaving gender based abuses largely un-addressed, including Gender based documents with the International repute do ignore and do not address the issue of race and gender with sensitivity.

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In the Asia Pacific region women from minority communities - (ethnic, religious), indigenous and aboriginal people, racially discriminated, migrant workers have been victimised and discriminated. Globalization of market economy and current development model, militarization, armed conflict, state violence, Nationalism, fundamentalism, other extremism, destroying environment of indigenous people territories, legacy of colonialism and neo-colonialism are identified as sources and causes of above form of racism against minorities and racially disadvantaged groups.

SPECIFIC ENTRENCHED FORM OF CASTE DISCRIMINATION:

No country is immune to racial discrimination, though the forms it takes might differ from country to country. In Asia, one of the most persisting forms of racial discrimination based on descent and occupation including Caste in South Asia comprising of 240 million people and Burakumin in Japanese society. Caste system in South Asia is the largest surviving social hierarchy in existence. The worst victims of this racist notion of purity of caste are the Dalits - the Untouchables. Dalit means "broken or oppressed" and describes both state of deprivation and the people who are deprived. The resultant socio-cultural prejudices and practices make oppression in South Asia unique.

Caste system denies the 'very humanity' of men and women

"System of Caste is a terrific force of stability against change, a force that stabilizes all manners, dishonour and lies" - thus writes Lohia on caste. The caste system degrades the human and militates against the principles of liberty, equality and fraternity. The caste ridden society degrades and continues to dehumanize the lowest castes. They are kept at the bottom of the social hierarchy, and any social contact is loaded with restrictions and taboos.

Instead of dispersed inequalities, we find in caste a system an "accumulative inequalities" where social and political power is concentrated into the hands of the same group". The Dalits of India are perhaps the World's foremost example of a community whose rights are violated. Despite the existence of constitutional rights and other affirmative action that is meant to address the issues, today their predicament can be described in terms of a **lost humanity and a dispossessed community** who live in segregated conditions. Notwithstanding the

democratic values in circulation caste continues to be a very good reason, why often Dalits are offended, deprived of the best things of life and have been subject to innumerable inhuman treatment and practices due to the ugly form of "untouchability", Poverty coupled with illiteracy aggravated this dehumanizing process over centuries.

Dalit Women

Singularly positioned at the bottom of South Asia's caste-class-gender (triple discrimination) hierarchy, largely uneducated and less paid than their male counterparts, Dalit women make up the majority of the landless labourers and manual scavengers. Sexual exploitation such as 'Betale Seve' (means nude worship) and Devadasi system (means dalit young girls are dedicated to gods later pushed into prostitution) are some religious ritual systems that victimised the dalit women. The Dalit women confront barbaric atrocities and violence by the non-state actors, dominant castes and state enforcement agencies. Their subordinate position is exploited by those in power who carry out their attacks with impunity.

The misery of their existence is further compounded when any move made by the Dalit community and more specifically by Dalit women to challenge inequality is met with physical violence of the worst order - their houses and villages burnt down, women are paraded naked, their crops are ruined and wilful damage to their property is done so that they may never again raise their voice. Thousands of atrocities on Dalit women are part of their daily life. **(A detail statistics of violation of Dalit Women's Rights are annexed).**

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Burakumin discrimination in modern Japan

Burakumin who used to be called "Etta" (extreme filth) and "Hinin" (non-human) - originating from the caste-like stratification of all Japanese nationals in feudal times. Though abolishing Caste Discrimination by a law called the emancipation edict was enacted in 1871. Discrimination against the former outcastes continued through the adoption of public accessible censor register (which listed the old Caste Classification), forcible relocation of communities. Supremacy over Buraku's by waging wars, made to engage in dangerous jobs, lower working and living conditions etc. "Buraku" is the name given to areas where Burakumin live and "min" means people. They are also connected with the approval given to the discriminatory nature of the structure of Japanese society; a "pyramid" society with the emperroer at the pinnacle. And we cannot run away from the fact that this approval is supported by traditional mythical and religious discrimination.

Buraku women face triple oppression because they are, Buraku, poor and women. They form the lowest level of labour and sublimit their family income even from the early age. They did the most physical and manual labour worked for long hours then the men but paid less. They do not have education and continuously caught of in a circle of poverty. Many women have forced into prostitution because there is no other way to earn a livelihood.

They have also been forced to accept to hazardous and dangerous jobs which have caused serious damage to their health and as they cannot afford medication, many women have succumbed to their illness. In "Japan", when marriages are considered, there most often occurs what is called a background investigation. The investigation occurs because those on the discriminator's side want to check into every detail of the persons "lineage, employment and life" and to discover whether the person is or not a Burakumin. If it is discovered that the person is from a discriminated buraku background, or is related by blood to someone from a buraku background, then most of these proposed marriages are deemed "impossible" matches.

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Caste discrimination against Dalits(untouchables) in Nepal

In the context of Nepal, racial discrimination exists on the basis of the caste status of the individual. Under the caste system, Dalit have always been treated as inferior human beings. According to traditional caste rules, Dalits are not allowed to marry, touch, or enter the homes of persons of a higher caste. Furthermore, they are not allowed to acquire property, are forced to live on the fringes of upper caste settlements, are not allowed to enter Hindu temples, and are forbidden to perform Hindu rituals or receive an education. Caste rules dictate that if a Dalit were to touch an upper-caste persons, the upper-caste person either has to take a bath or sprinkle himself/herself with gold-treated water. The inhuman rulers alienate the Dalit community from mainstream society and prevent Dalits from achieving social or economic advancement. Dalits constitute 15-20% of Nepal's total population. Dalit people were deprived of earning and learning by the government until 1950 A.D. Because of prolonged suppression, there is no significant change in them even in present democratic Nepal.

The Dalit women comprises of 20% of the total women in Nepal live in such misery, poverty and homelessness. Their literacy rate 7%, and 60% of women involved in commercial sex in Nepal and abroad. They are not allowed not to touch water taps, wells, temples in public areas. Brutal assault and violence forms

daily occurrence on the lives of dalit women. No Dalit women have secured any post in policy making level nor is there any one in the House of Representatives. Despite the fact that amongst all women leaders elected for local level, only 5% belong to Dalit women that have access to political forum but they don't have any existence as they are backward in terms of education, economy and caste. Only one Dalit woman has been recruited at the government level office as a gazetted third class officer.

The Impact of Caste on Gender

The four features of caste have significant bearing on gender. Firstly, the caste defines social division of labour thus lending status to one kind of work and loss of status to another kind of work; secondly, it determines sexual inter-connections through marriage alliances, thirdly, it structures groups in hierarchical relations thus labeling some castes as high and other as low; finally, the concepts of pollution and purity provide prescriptions and prohibitions about social interaction. All these features have negative and worse implications for gender equality and justice. The increased constraints on women are an essential part of a rise in caste hierarchy. Definitely one can visualise the parallel between Casteism and Racism by specific nature of discrimination meted out to women.

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RESPONSE OF INTERNATIONAL COMMUNITY TO THE PREVAILING PRACTICES OF DISCRIMINATIONS ON THE BASIS OF WORK AND DESCENT:

The issue now facing the international community is how to deal with a situation of prevailing practices of discrimination on the basis of work and descent on the basis that such practices violate international human rights law. A set of standards, norms and guidelines must be developed to abolish the existing practices of such discrimination. A mere declaration does not suffice as even constitutional and legal provisions in themselves have failed to eradicate these practices. The states concerned must be held responsible under the international law for the violation of international human rights law in these countries.

Though in many respects caste discrimination is worse than slavery and apartheid, the international community has not taken any significant position against it. The World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance is obliged to address caste, just as previous international for a have addressed apartheid and slavery. For many millions suffering in South Asia, the Conference will be a failure in the caste system is not adequately held to account. For Dalits throughout South

Asia, caste remains a determinative factor for the attainment of social, political, civil, and economic rights.

It may be appropriate to mention that on handful Dalit organizations and leaders from the community, women's organisations (Pre Beijing, Beijing Conference, CEDAW Committee) began turning to the United Nations as a possible forum for the mobilization of International support and condemnation of caste-based abuses. However the difficulty of slotting caste based abuses into standard categories of human rights violations, and the prevalence of constitutional and the legislative protections at the national level has allowed these abuses to escape international scrutiny. Because caste-based abuse is not regularly on the agenda of the Commission on Human Rights, it is important to recognize attempts by some U.N. treaty bodies to bring caste into the purview of the mandates, and equally important to place the issue prominently on the agenda of the World Conference Against Racism. In the concluding observations of its forty-ninth session held in August/September 1996 (as it reviewed India's tenth to fourteenth periodic reports under the International Convention on the Elimination of All Forms of Discrimination, 1965), the Committee on the Elimination of Racial Discrimination affirmed that "the situation of Scheduled Castes and Scheduled Tribes falls within the scope of "the Convention CERD/C/304/Add.13, September 17, 1996.

The Committee has clearly stated that the term "descent" contained in Article 1 of the Convention does not refer solely to race, and encompasses the situation of scheduled castes and tribes. Similar conclusions were drawn by the U.N. Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance in his January 1999 report. In 1997, the Human Rights Committee noted that members of scheduled castes endured "severe social discrimination," and suffered "disproportionately from many violations of their rights under the (ICCPR)." In January and February 2000, serious concerns over the treatment of Dalit children and Dalit women in India were also expressed by the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women in their recent reviews of India's period reports under the children's rights and women's rights conventions. Recommendations of the Bellagio Consultation, as contained in A/CONF. 189/PC.1/10, include references to caste systems and discrimination against Dalits and Burakamin with the context of descent-based discrimination CEDAW/C/2000/1/CRP.3/Add.

In the course of debate on Agenda item 3 of Doc E/CN.4/sub.2/2000/L 13. With reference to the Caste System the In-

dian Government in its reply has agreed that "Even though the caste system has been based on birth it is obvious that the term descent in the convention clearly refers to" racial descent". What they do not agree the term 'Caste' on the other hand is not based on 'race'. It has its origin in the functional division of the Indian society during ancient times. Communities which are today described as 'Scheduled Caste' comprise castes that were traditionally subjected to severe discrimination and exclusion.

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MEASURES TO ERADICATE RACISM AND RELATED DISCRIMINATION PARTICULARLY CASTE:

** This international, multi-sectoral approach should be reflected in Programme of Action of the World Conference, taking into account measures ranging from economic cooperation for eradication of poverty providing basic condition for the betterment of living conditions of women, providing equal treatment in health care and to redress the inequalities of opportunities for formal education and employment.

** Encourage national governments to make special and distinct provision for women who are discriminated on the basis of caste in planning of programmes, allocation finances and in distribution of reservation facilities in education and employment and plan for the development and mainstreaming of Dalit women for equality and justice. Encourage women and provide conducive environment to participate in decision-making bodies as well to mainstream their concerns by their direct participation in politics.

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PROVISION OF REMEDIES AND REDRESS:

** Governments of countries where caste discrimination continues should evolve and implement legislation, monitor compliance and provide accessible avenues of redress through instruments accessible to victims; ensure that persons or institutions responsible for discrimination based on caste, occupation or descent do not remain immune from prosecution under the law; and assure that victims are fairly compensated. Degrading practices such as manual scavenging should be brought to an end and persons engaged in them rehabilitated and trained for occupations which respect human dignity.

** As a matter of urgency, governments and NGOs must work together to identify and implement a wide range of legislative, judicial, research, education, capability building, media and other appropriate strategies to address the causes and manifestations of racism, xenophobia and related intolerance. Specifically, standards on women's human rights codified in interna-

tional instruments such as the Convention on the Elimination of All Forms of Discrimination against Women and the BPFA must be integrated in the framework of the drafting of the Declaration and Programme of Action of the World Conference against Racism and in the implementation and monitoring of the Convention on the Elimination of Racial Discrimination.

** At the international level, a thematic mechanism should be established within the United Nations human rights machinery to examine, monitor and publicly report on discriminatory practices related to occupation and descent, including caste.

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RECOMMENDATION TO ENSURE GENDER PERSPECTIVE:

** Encourage Asian governments to undertake regional and national preparations for the WCAR in close consultation with NGOs. In so doing, special attention should be given to caste-based discrimination and other forms of discrimination based on descent, such as that suffered by Dalits and Burakumin and particularly dalit women.

** A permanent follow-up mechanism should be established within the Office of the High Commissioner for Human Rights to monitor and evaluate programmes to combat racism and to coordinate the exchange of information. This mechanism would monitor and report on the implementation of the final outcome of the World Conference.

** To reiterate the need for affirmative action to redress the injustices done to all victims of racism, racial discrimination, xenophobia or related intolerance. WCAR should ensure that all the data is disaggregated by race & gender into both its analyses and recommendations.

** To foster the building of bridges between racially discriminated communities and the wider community.

ANNEXURE I

A DETAILED STATISTICS OF VIOLATION OF DALIT WOMEN HUMAN RIGHTS

Dalit Women Right to Livelihood

About 78% of Dalit households have no electricity, about 90% have no sanitation facilities, 49.48% of the Dalit population

in urban and 48.11% in rural areas lie below the poverty line, around 60% of Dalit children under 4 years suffer from undernourishment, and over 90 per 1000 live births face infant mortality. As women who mainly take responsibility for the running of our households, we pay the heaviest price for the lack of basic livelihood needs. Feminisation of poverty is amply illustrated in our life.

Dalit Women Right to Education

- In 1991, the Dalit women literacy rate was only 23.76% as against the all-India female literacy rate of 39.29% and the all-India total literacy rate of 52.21%.
- Even after 52 years of Independence, Dalit female literacy rate stands only at 7.07% in Bihar, 8.31% in Rajasthan and 10.69% in Uttar Pradesh!
- In 1991, the female Dalit literacy dropout rate was 53.86% in the primary stage, 73.24% in the middle stage and 83.338% in the secondary stage. Primary this is due to grinding poverty and gruesome practice of untouchability.

Dalit Women Right to Equality

- A survey of 69 villages in Gujarat in 1996, 52 villages in Karnataka in 1992-93, and the villages in Warangal district (Andhra Pradesh) in 1998-99 reveals that Dalit women are still forced to use separate water taps for drawing water, or if there are common water sources they are made to wait for dominant caste women to draw water first and are the victims of abusive language and derogatory remarks from these dominant caste women.

Dalit Women Right to Information

- Only scanty information is available from Government sources on the situation of Dalit women in the country as a whole, and in the States in particular. Expecting the Census Reports, even which provide inadequate data on various aspects of the living conditions of Dalit women, all the National Commissions (National Women's Commission, National Human Rights Commission, National Safai Karmacharis Commission, National SC/ST Commission, etc.) in their annual reports offer meagre, if not nil, information specifically on Dalit women.

Given the fact that Dalit women constitute 16.3% of India's total female population, 47.96% of the total Dalit popula-

tion, and 81.45% of them live in rural areas - should not this significant number of Dalit women be taken note of in computing the data for assessing the performance of the Indian State regarding the formulation and implementation of its legislation, policies, mechanisms and programmes?

Dalit Women Right to Land & Labour

- That Dalit women labour force constitute the backbone of India's agricultural and non-agricultural economy is an open secret, although the Indian State has consistently defaulted over the past 52 years in not recognizing this truth by its abject neglect of their right to livelihood, education, etc.
- Almost 85% of Dalit women work in the agricultural sector, 30-40% in the household sector and a large number of them are employed as unorganized labour in the urban areas. Feminisation of labour is more than amply illustrated in the life of Dalit women.
- That those of us who turn the wheels of Indian economy live below the poverty line is one of the shocking ironies of Indian history!
- More than 700,000 women are involved in manual scavenge and they are paid a meagre income of Rs.50/- per month(almost equivalent to one dollar). Manual scavengers also tend to suffer from respiratory infections, gastrointestinal disorders and trachout, a chronic contagious bacterial conjunctivitis commonly resulting in blindness.
- The caste system, founded on patriarchy and male domination, discriminates Dalit women from getting just and equal wages, a fair share in work distribution, maternal benefits, the security and protection of property rights, etc.

Dalit Women Right to Reservation and Employment

- In the Government services, especially in Class I and II, Dalit women representation is abysmally low, and even non-existent in some cases. For example, their share in administration was near absent in 1987, that is, even after 40 years since independence. To expect great improvement since 1987 is, to say the least, a futile exercise!

Dalit Women Right to Share in Political Governance

- That Dalits in general have reserved constituencies for elec-

toral seats to the Parliament, the State Assemblies and the Panchayats is undeniable.

- That recently 33% of seats in Panchayats are reserved for women in general is also to be recognized.
- But the 11th and 12th Lok Sabha has failed to come to grips with the Bill for providing 33% representation in the Parliament and in the State Assemblies for no other reason except (a) that of male chauvinism of the patriarchal society, and (b) that of dominant caste chauvinism which does not want to heed to the persistent demands of Dalits and BCs to ensure adequate representation to Dalit women and BC women within the scope of 33 per cent.

Dalit Women Right to Life & Security

- The number of rapes committed against Dalit women has been on the increase over the years. To cite the number of only registered cases in recent years; 1117 in 1989, 1163 in 1990, 1067 in 1991, 1236 in 1992 (incomplete figure as some States report for 6 months and other for 9 months).
- In 1991, the number of women who faced the torture of rape was estimated at two million, and the majority of the victims were Tribals and Dalits.
- More than 200 Dalit women between the age of 6 and 70 were raped by the activists of the Savarna Liberation Army of Bumihars in Bihar. The Devadasi system forces 5,000 to 15,000 girls to be secretly auctioned every year in the commercial sex market.

THE BETRAYED CHRISTIAN DALITS AND THEIR SEARCH FOR FREEDOM AND DIGNITY IN THE CHURCH

*Fr. A.X.J. Bosco S.J.**

A Dalit is the so called untouchable who is treated as an outcaste and less of a human being. In the social structure of graded inferiority, the Dalits are considered the lowest category. Even today Dalits are not allowed to enter the temple for worship, have no access to sources of water used by the higher caste, cannot sit together and have a dinner with them and even their dead cannot be buried along with others.

Centuries of oppression treating the Dalits, slaves fit to do only menial and dirty jobs, has built strong social prejudices in the minds of the Dalits that they are inferior and in the minds of the higher castes that Dalits deserve to be treated as slaves.

The Brahmin class which enjoyed power and status even above the ruling class, legitimised its supremacy through religion – stating that god himself created caste and the Dalits who are outcasts are a cursed people because they are sinners and it is their fate to suffer the misery which they go through. If they behave as obedient and submissive slaves, they may have a better social status in the next birth.

The Dalits have no hope of liberating themselves and achieving their dignity and respect due to them, in Hinduism. When they came to know that Christianity preached the Good news of freedom, equality, love and brotherhood/ Sisterhood, many Dalits were attracted and became Christians. That is why the Indian Church is predominantly a Dalit Church. In some state like Andhra, Tamilnadu and Punjab, almost 75% of the Christians are Dalits.

Believing in a god who is a father of all humanity who loves every one unconditionally, shining his sun on the good and the bad and showering his rain on the just and the unjust (MT 5/ 45) is indeed very consoling and affirming. The Christians god does not show partiality. He is a God who takes the side of the poor and the outcastes and fights for their liberation.

* *Fr. A.X.J. Bosco is the former Andhra Jesuit Provincial, presently working as the director of CITRA.*

But the church betrayed the Dalit people and the God whom we believe. The high caste people also were converted and became Christians. The caste culture was cherished and nurtured by them to perpetrate their power over the Dalits in the Church. More than 80% of the Bishops, priests and nuns in whose hands are the power and wealth of the church, are non-Dalits. Church has become caste ridden. The Dalits have to take different places in the church. In some churches, the Dalits have to receive communion after the others, the Dalits have even to bury the dead in different places. Most of the economic benefits though they are received from abroad in the name of Dalits and the marginalised, are shared by the high caste Christians. Even among bishops, priests and nuns, it is very scandalous and abominable to see so much of discrimination. Some congregations of the Nuns, take predominantly only high caste, thus crippling even the work wish of the Holy Spirit. What a shame that Christianity has stooped to such a low level! As St. Paul says we only share the Eucharist, to our own abomination and degradation (1Cor. 11/27-29) and what an empty boast it is that we rejoice that we are Christians!

In a study made in 1995 Father Walter Fernandez S.J. of the Indian social Institute, Delhi who went around TamilNadu, one of the states where Christians are considerable in number, after meeting Bishops, Priests, nuns lay leaders, executives, teachers... etc says that the Tamilnadu Bishops conference must declare that caste discrimination is a sin as it is a blatant violation of the basic teaching of Christ – love one another (Jn 13/34). Those who think critically and who desire to follow Jesus radically, can easily perceive that the Hierarchy and the leaders of the church are not shepherds in the foot steps of Jesus, tending the sick and the weak and seeking the lost; they feed themselves and leave the sheep to starve (Ez. 34/1-3)

Christianity in India which should be prophetic, standing for the rights of those who are oppressed and exploited, has joined hands with the oppressors. Where, are the prophets who denounce the high handedness and the greed of the oppressors and the lead the poor of Yahweh to freedom? Christian Dalits are three times oppressed. They are outcastes and untouchables in Hindu Society; they are denied the privileges and concessions given to Dalits belonging to Hindu, Buddhist and Sikh religions, and they are denied their equality and dignity as children of God by the high caste clergy and religious in the church.

Only Dalits and who can become Dalits can understand feeling of a Christian Dalit who is hurt, betrayed, alienated and rejected. In the process of the global awakening of humanity to human rights, Dalits too are slowly getting enlightened and few of them have taken courage to question the indifferent, apathetic and sinful attitudes and behaviour of the hierarchy, the priests

and nuns who share the power in the church. We are in a crucial moment in the History of the Indian Church.

It is time for Dalits to take into their hands their life and rights and to organise themselves, and to fight unitedly to free themselves and create a new Church. It is time for the caste minded Hierarchy, Priests and nuns to understand the teachings of Jesus and realise that if they do not deal with the Dalit movement in a positive way, the Church will lose all its relevance in the Society.

It is also time for the leaders of our country to understand that religious fundamentalism and caste mindedness will not further the progress of our people as a democracy and we need to rise above these monstrous evil forces to foster unity and togetherness to play our role as the biggest democracy in the world.

The world conference against racism is a chance and opportunity of the international community to come to the help of the 200 millions Dalit brothers and sisters in South Asia, not only by recognizing the miserable and dehumanized situation of the crushed and broken Dalits, but also by affirming their dignity and taking efforts to forward their cause. The Indian Government has again and again betrayed the Dalit community by forcing its view on the nations of the world that the Dalit issue is an internal affair of the country. The Human right issue of 200 millions of people, cannot be just an internal matter of any country. My appeal is to all the nations and peoples, who hold human and Christian values close to their hearts, to consider the sad plight of the Dalits and to give their voice in WCAR to mediate freedom and justice to the millions of Dalits in South Asia.

RELIGION BASED DISCRIMINATION AGAINST DALITS IN INDIA

*Fr. S. Lourduswamy**

The Dalits are an ancient Dravidian race, the original people of the Indian subcontinent. Dalits are the descendants of the earliest settlers of India. Dravidian race was defeated and subjugated by in Vader's Aryan Race. Therefore Caste system is a distinct form of Racism. The history of the present problem began around 1500 B.C. and for more than 3500 years they have suffered, and continue to suffer, multiple forms of oppression, which have always been explained or justified by the Brahmanic religion. Because of this age long oppression, the Dalits have lost their sense of self-identity as full human beings. In reality it was these people who introduced culture to India and they were the owners of the land. Dalits became outcastes because an alien and conquering people did not consider them fit to be included in the four-level structure of the castes. They were branded as outcaste and untouchables.

I. CASTE SYSTEM

The caste system survived for centuries because the religious leaders transmitted the Vedic Scriptures to the common people and attributed the caste system to divine ordinance. Any violation of this system individually or collectively, was tantamount to breaking the divine law. Painstakingly, every dimension of the divine ordinance of caste, was included in the Scriptures.

Untouchability has been practiced in the Hindu society for almost 3 millennia. Various reasons are given justifying the practice. The main causes were the obsession of the Brahmins to maintain purity and to avoid pollution. Endogamy is the essence of the caste system. Brahmins introduced an elaborate system to preserve their purity. They married among themselves and if they had sexual relations with women of lower castes like the Kshatiryas, Vaishya or Shudras, the progeny was not entitled to the privileges allowed to those who were born of Brahmin woman's womb. In order to maintain purity all relations with lower castes were proscribed.

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Those who opposed the Brahmanic religion or rebelled against the caste system were branded as untouchables and thrown out of the society. Initially, Dasas and Nagas who opposed the Aryan invaders were looked down upon as inferior people because they had been vanquished. Dasas in ancient Sanskrit, language of the Brahmins, meant slaves. Dalits were subjugated and reduced to dehumanized status without Human Rights by invading Aryan Race.

Emerging Dalit Identity

The Dalit situation today tells us that they are an oppressed nationality. Not an individual or a few individuals, but a community as a whole wherever they are, and whatever they are engaged in, is inhumanely discriminated against the will of God. The image of God in the Dalits is shattered for thousands of years. The Dalit community as a whole had been treated as 'no-people' in history. They realize today that they were created in the image of God. If they have lost this trait in history, it is a historical imperative that we can regain it in the same course of history. They have taken up this responsibility of realizing our vocation. In other words the 'no-people' have determined to become 'people of God' by regaining their identity.

II. PLIGHT OF DALIT CHRISTIANS

Total Indian Population

| Year | Total | SC | ST |
|------|--------------------|--------------------|--------------------|
| 1991 | 84,63,02688(100%) | 138223277(16.3%) | 67758380(8.0%) |
| 2000 | One Billion (100%) | 170 Millions (17%) | 80 Millions (8.0%) |

Christian Population

| | |
|----------------------------------|-------------|
| Total Catholic Population | 18 millions |
| Total Christians Population | 24 millions |
| Total Dalit Christian Population | 16 millions |

The Christians of Scheduled Caste origin, forming a microscopic minority spread all over India, are living amidst the majority society and its traditions. They along with their kith and kin belonging to low caste Hindus live in segregated, "cherries" and "Dalit Colonies". No wonder they share everything in life including atrocities against the low castes that are bound to happen in a caste-ridden society. The bleeding Christians cry for justice. The privileges of Protection of Civil Rights Act and Prevention of Atrocities Act 1989 are denied to them.

In the past 45 years successive governments denied them Scheduled Caste rights and privileges on the unjust ground that they are Christians. The Indian Constitution's Articles 14, 15, 6, 25 and Art. 18 of Universal Declaration on Human Rights by UNO rule out any discrimination on the basis of religion. While other converts enjoy the rights of reservation, the Presidential Order 1950 para 3 denies this right to the converts to Christianity. It is against Human Rights and Social Justice.

A. Social Disabilities

Christians of Scheduled Caste origin suffer the same socio educational and economic disabilities at par with their counterparts in other religious due to traditional practice of untouchability.

The change of Caste does not change the social, educational and economic status. The statutory benefits are to be extended to Christians of Scheduled Caste origin.

The above facts have been proved beyond doubt by the Backward Class Commissions appointed by the Government of India and by the judgements of the High Courts and Supreme Courts.

Mandal Commission Report: 10:36, 12:11, 12:14
 Mandal Case Judgement : Art 271, 400, 790 Vol 6 No. 9
 By Supreme Court : Nov 30, 1992 Judgement Today

III. RELIGION BASED DISCRIMINATION AGAINST DALITS IN INDIA

A. Constitutional Provision for Dalits

15 (4) : Nothing in this article or in clause of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

16 (4) : Nothing in this article shall prevent the state from making any provision for reservation in matters of promotion of any class on classes of posts in the services under the State in favour of Scheduled Castes and the Scheduled Tribes which, in the opinion of the State are not adequately represented in the services under the state.

330 : Reservation of Seats for Scheduled Castes and Scheduled Tribes in the House of the People-

(1) Seats Shall be reserved in the House of the People for the Scheduled Castes and Scheduled Tribes.

332 : Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.

- (1) Seats shall be reserved for the Scheduled Castes and Scheduled Tribes.

341. Scheduled Castes - (1) The President by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purpose of this Constitution be deemed to be Scheduled Castes.

(2) Parliament may include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any case, race or tribe or part of or group within any caste, race or tribe.

The U.N.O Declaration of the Human Rights (1948) on human Rights

Article 18 - Everyone has the right to freedom of thought, conscience and religion, this right includes freedom to change his religion or belief, and freedom, either along or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The founding fathers of our beloved nation aspired of a free India founded on Justice, equality and secularism and enshrined zealously those cardinal principles in our Constitution. These foundational principles, which are the pillars of our democracy, are realized and guaranteed to all Indian citizens by the Fundamental Rights Articles 14, 15 and 25. The Constitution makers also ensured social justice to all our weaker sections by the Articles of Positive Reservations, irrespective of race, religion or gender. They enshrined the principle of social justice in Articles 15 (4), 16(4A), 330,332,340,341,342 for uplifting the Scheduled Castes, Scheduled Tribes.

Presidential Order 1950

Excising the Constitutional power vied article 341 (1), the President promulgated the Constitution (Scheduled Castes) Order 1950 stating, "In exercise of the powers conferred by clause (1) of Article 341 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the states concerned is pleased to make the following order namely : (I) **This**

order may be called the Constitution (Scheduled Castes) Order 1950: the excerpts of which are given below :

(ii) Subject to the provisions of this Order, the castes, races or tribes or parts of, or groups within castes, or tribes specified in Part I to XVI of the Schedule to this Order shall, in relation to the States to which those Parts respectively relate be deemed to be Scheduled Castes so far as regards members thereof resident in the localities specified in relation to them in those parts of that Schedule.

(iii) **Notwithstanding anything contained in Para 2, no person who professes a religion different from Hinduism shall be deemed to be a member of Scheduled Caste”.**

B. Denial of Constitutional Rights on the basis of Religion

The President, in fact exercised the constitutional requirement of Art. 341 (1) fully with the Para 2 of the Order itself. The Sub-Castes of the Scheduled Castes in relation to States irrespective of the religious beliefs and who are the victims of the traditional practices of untouchability and who suffer from extreme social and economic disabilities and cultural and educational backwardness are specified in Parts I to XVI of the Schedule to this Order. Evidently the Sub-Castes of the Scheduled Castes converted to Christianity are enumerated in the above Schedule as in the case of other members of the same families who happen to follow other religions.

But, the Provision of Para 3 tarnishes the nobility of Indian Secularism and blinds the nation from extending equal justice to the most needy of the society viz., the Scheduled Caste Christians who still live along with their kith and kin in the Dalit Colonies or Cherries of the villages doing the menial jobs of scavenging, removal of carcass, beating of the drums for the funeral, digging graves and making foot-wears etc. The social and economic disabilities and cultural and educational backwardness of the Scheduled Caste Christians arising out of the traditional practices of untouchability are exactly like those of their counterparts in other Religions.

In fact, the religious criterion in Original Draft of the Order of 1950 copied verbatim from the Govt. of India (Scheduled Caste) Order 1936 was deleted by the Drafting Committee during its sitting 13.03.1948 under the Chairmanship of Dr. Baba Saheb Ambedkar since this clause was to destroy all the provisions of the Constitution to promote secularism, equal justice and equal opportunities and since reservations on communal basis also were to end in the new Republic. But the restricted Para 3 was allowed to come in through the backdoor.

In fact, this order is a copy verboten from the Government of India (Scheduled Caste) Order 1936 in which Indian Christians were deleted in order to avoid double benefits because Indian Christians with Christians of Scheduled Caste origin were receiving same benefits, enjoyed by other minority groups including the Scs in other religions.

Thus, the minority group like the Indian Christians including Christians of Scheduled Caste origin had been already getting reservation benefits under the minority groups. When the Scheduled Castes belonging to Hinduism demanded the similar benefits to them at par with the minority groups, the demand was conceded and benefits were extended to them, vide Constitution (Scheduled Caste) Order 1936. In order to avoid a double entry of the Scs in other minority religions, para 3 of the Order or 1936 laid down a condition that Scs belonging only to Hinduism were eligible for reservation under this order. The above minority G.O., extending reservation benefits on the basis of religion was struck down in 1950 after the formation of the Constitution but reservation benefits were provided on the basis of caste in the Constitution.

The basis for reservation was only caste and socio, educational and economic backwardness. The religious criteria were not mentioned at all.

The President was empowered by the Article 341(1) to extend benefits to the Scheduled castes and races eligible for reservation and in this he is expected to enlist the caste only, not the religions. In contradiction to Article 341, he promulgated (Scheduled Caste) Order 1950 stating in para 3 **"Notwithstanding anything contained in para 2, no person who professes a religion different from Hinduism shall be deemed to be a member of Scheduled Caste"**. The Presidential Order 1950 is the most Communal, anti secular and Anti-Constitution because in para 3 of the order it brings in religion as a base for extension of reservation and there by it goes against the Constitution Article no. 15/4, 46, 330. 341, where caste factors were given as the criteria for the extension of reservation benefits.

The Parliament has been rectifying this lacuna arising out of the para 3 of the order by amending the Constitution (Scheduled Caste) Order 1950 included Sikh religion in 1956 and Buddhism in 1990 and denying equal justice to Christians of Scheduled Caste Origin. This discrimination deprives the Christian Dalits to seek civil protection and safeguards provided for all Dalits under protection Civil Rights Act 1976, Untouchability (Offenses) Act 1955 and SC/ST (Prevention of Atrocities) Act 1989. This is

blatant violation and denial of Human Rights of a citizen under our Constitution as well as under Article 18 of Universal Declaration of Human Rights of the UNO to which India is a signatory.

Denial of Fundamental Right to Dalits

The discrimination in the Scheduled Castes Order deprives some the Dalit the Right of Freedom of Religion, which is a Constitutional Right for every citizen. The Constitution of India provides certain rights to every citizen of India which are called the Fundamental Rights. The Government is not authorized to give any directive or pass any order, which deprives a citizen of India of any of his Fundamental Rights. One such right is ensured by **Article 25 of the Constitution, which reads as follows:** **Subject to public order, morality and health and the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.**

Denial of Freedom of Conscience

The discrimination in the Scheduled Castes Order deprives some the Dalits even the Freedom of Conscience. Clause (1) of Article 25 of the Constitution of India assures two types of freedom as Fundamental Right for every citizen of India. The first is the Freedom of Conscience and the second is the Freedom of Religion.

The discrimination in the Scheduled Castes Order is depriving some of the Dalits of the Freedom of Conscience, which tantamount to deprivation of a Constitutional right of the Dalits who is compelled to embrace Hinduism, Sikhism and Buddhism only to be deemed to be Scheduled Caste.

Denial Freedom of Religion

By providing a three fold freedom, namely, the freedom to profess, practise and propagate religion, the Constitution of India made the Freedom of Religion an absolute freedom. But by incorporating a discriminatory prescription in the Scheduled Castes Order the Government of India reduced it to a two fold freedom as far as Dalits are concerned.

As per the law in force, the status of a Dalit varies with the religion he professes. A Dalit is at the maximum advantage if he professes the Hindu or the Sikh Buddhist religion, at a lesser advantage if he professes the Buddhist religion and no advantage if he professes the Christian religion. This is not absolute freedom.

A Dalit will not be able to exercise absolute freedom of religion as long as the discrimination in the Scheduled Castes Order continues to exist.

Another important aspect in the Right of Freedom of Religion ensured by Article 25 of the Constitution of India is that all persons should be equally entitled to it. But the Freedom of Religion enjoyed by a Dalit is not as much as the Freedom of Religion enjoyed by a member of the communities enumerated as the Scheduled Tribes.

A Dalit is made to lose his status as being a member of a Scheduled Caste the moment he professes the Christian religion. But a member of a community enumerated as Scheduled Tribe does not lose his status of being a member of a Scheduled Tribe, which ever may be the religion he professes - may it be Hinduism, Buddhism or Christianity.

So a member of the Scheduled Castes is not able to exercise Freedom of Religion as much as a member of the Scheduled Tribes is able to do.

IV. THE RESPONSE OF THE GOVERNMENT

The successive Governments have given assurance in and outside of the Parliament to extend of the statutory benefits to the Dalit Christians but they have not fulfilled it.

Then Welfare Minister Shri. Ramvilas Paswan, while passing the amendment bill to include Neo-Buddhist in the SC list, promised in the Parliament that the Dalit Christians would be the next group to be inducted in the reservation list. The former Prime Minister Shri. Narasimha Rao gave the assurance to the large delegations on 3rd March, 94 at his residence Delhi, 29th August, 94 at Vijayawada and on 24th August, 95 Delhi. Shri. Sitaram Kesari the former Welfare Minister declared on 21st November, 92 at Vijayawada mammoth rally about the immediate introduction of the required bill. The Minister of state for Welfare Shri. Thangabalu assured in the Rajya Sabha on 29th April, 94 and the government also attempted to introduce the Bill in the Lok Sabha in the month of March, 96 at the fag end of the Government and could not make it due to procedural defect.

United Front Government included in the Common Minimum Programme the extension of reservation benefits to the Dalit Christians as one of the major policies under social justice chapter and the Prime Minister Shri. Deve Gowda also assured the delegations on 23rd of July, 1996 that the Government is at it

and the required bill will be introduced in this monsoon session itself.

V. EQUAL RIGHTS TO ALL DALITS IRRESPECTIVE OF FAITH

Dalit Christian (Scheduled Caste Converts to Christianity) are denied their Constitutional Rights, Human Rights, Fundamental Rights and Social Justice by the Constitution (Scheduled Caste) Order 1950 on the basis of religion.

The Scheduled Caste rights such as (a) the provision or reservation in Education, Employment, (b) promotion Parliament and assembly seats (c) Statutory and non statutory benefits, (d) socio educational and economic development. The privilege of protection during atrocities are enjoyed by Dalits in Hinduism, Sikhism and Buddhism. Dalits Converts to Christianity (Dalit Christian) are deprived of all the privileges and rights mentioned above while the counterparts in other religions are enjoying fully their Dalit Rights. Though Dalit Christians suffer the same socio, educational and economic disabilities on par with their counterparts in their religions. They are not recognized as the member of Scheduled Caste by the unlawful Presidential Order 1950. Hence the Scheduled Caste Order 1950 should be amended suitably to include Dalit Christians to uphold secularism, equality and justice. We also demand that the unjust and discriminatory para 3 in the Presidential Order 1950 has to be deleted to declare Dalit rights to all irrespective of religion.

The Demand for EQUAL RIGHTS to Dalit Christians has been justified by Commissions appointed by Government, Judiciary, Legislature and successive Governments but justice is being delayed due to craze for political gain and absolutely political will is lacking. This Human Rights issue has been converted into a political issue to satisfy a section of people by denial of Constitutional Rights to Dalit Christians. The liberation of Dalits/Tribals requires global assistance and collective action. Every person of good will are earnestly requested to show your solidarity in action to liberate the oppressed in India. Let your involvement and commitment bring **LIBERATION** and **FREEDOM** to Dalit Christians.

RACISM, CASTEISM AND DALIT CHRISTIANS IN THE INDIAN CHURCH

Prof. Dr. M. Mary John*

Racism has been a subject of International study for decades. In the past 30 years it has attracted international concern and action. It has gained central place the context of of United Nations Charter of Human Rights. As a result there has been already two World Conferences of the UN on Racism and Racial Discriminations and now the third UN World Conference on this subject is scheduled to be held in Durban, South Africa from 31st August to 7th September 2001. There is no need to write elaborately about racism. Much has been said and written about racism and racial discrimination and the subject is very popular at the International Level.

Caste system which exists for thousands of years in India has subverted humans civilisation in India. It is responsible for the present mass poverty, mass illiteracy, perennial social conflicts and the widespread criminalisation of the civil society in India in which the Dalits (the untouchables) are the victims. It has all the characteristics of racism and it has given rise to much deeper and more intense form of discrimination. A fact needs to be brought to light. Just like racism the casteism in India has given rise to all forms of discrimination, segregation and exclusion, including the most inhuman practice of untouchability against a section of people. Untouchability of this section of people is the most extreme form of oppression and segregation. These are 200 million dalits (untouchables) who continue to be victimised till today. But the subject of caste and casteism of India is not familiar and popular at the international level. Even though casteism is the oldest and the longest form of segregation and oppression of a people in the history of mankind and has as many as 200 million victims in India, namely the Dalits, it has not been recognised along with racism. Some researches have concluded that international racism has its origin in India casteism which is about 3000 years old. This important historical perspective has to be taken serious note of.

It is observed that the Sanskrit work Manu or Manavadharmasastra or Manu Dharma Sastra which is the foun-

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dation stone of casteism and the caste discrimination in India some 3000 years before, was translated into European languages towards the end of the 18th century, the first translation being by Sir William Jones in 1794. The rise of racism could be traced to the 19th century. But Indian casteism is 3000 years old. This is the reason why the Dalits in India are today trying to draw the attention of the UN Conference and the international Community and governments to casteism and to treat it on par with racism.

The world Conference will indeed lose much of its significance and its mission against racism will be incomplete if casteism is not treated along with racism. It will be a serious omission to leave out the caste and it will be frustrating to the vast section of the humanity who are victims. The 200 million dalits of India, a very large group of contemporary victims, are pleading for the UN's intervention just as in the case of racism. It will be a historical mistake if their voice is not heard today by the UN Conference. It will be failing to take note of the oldest and longest oppression in the human history, when other relatively recent and shorter period racial discrimination are being abolished. If casteism is omitted now then there will be need for a separate U.N. conference on casteism.

In this context it is important to bring to light the case of casteism in the Indian Church and Dalit Christian in India who are now the worst victims. Casteism is a cancer in the heritage of India and the ancient pollution of our civilisation. This cancer and pollution spread into Christian religion also. The purpose of this brief article is to focus on the casteism in the Indian Church and on the nearly 20 million Dalit Christian who are victims within the Church as well as outside in the society. These are known as the thrice discriminated viz. by the Indian Constitution, by the Indian Society and by the Indian Church. We give a few historical origin and notes to understand the reality of casteism in the Church.

In 1571 in Pallurithy for the first time separate mass was arranged for the Sudhras - (the lower castes). There were two sets of Christians, one called the "Thomas Christians" (the Brahmin converts) and the other called the "Latin Christians" (converts from lower castes) There was the worst situation where the Thomas Christians used to celebrate Christmas first on 25th December and Latin Christians were allowed to celebrate only on the next day on 26th of December. Casteism was practised among the lower caste Christians themselves.

In Gujarat the first Christian Community Village was formed in 1847 and from the beginning there was the caste ques-

tion and caste problem arising. There was conflict with regard to celebrating Easter Mass together with the untouchable converts.

There was the Paraiyah Revolution in Pondicherry in 1831, when the Dalit (Untouchable) christians protested their segregation in the Cathedral and the demanded a separate Church for themselves to avoid the insult and humiliation from the upper caste christians.

Around 1850 in Kerala when the protestant foreign missionary Charles Mead wanted to marry an Indian lady who happened to belong to the untouchables (Pariahs), it was vehemently opposed even by the foreign missionaries. They complained, "...a young pariah women however connected by marriage or however high her qualification may be, cannot gain esteem and command..... They would not be able to trust the lower caste people".

In Kerala the first Protestant Missionary was invited by Vedamanickam, a man who belonged to the "untouchable" community. As a result of the work of the missionaries, christian mass movements occurred in Kerala in the 19th century. But as in the case of any other parallel socio-religious movement, christian mass movements also took place within the framework of castes. In spite of the Western idea of equality and the Gospel value of brotherhood, caste segregations remained in the society and within the church, observes Gladstone.

....As the mission expanded there was thought about an Indian Church. Active steps were taken for the transition from Missions to church at last from 1860. Though under the supremacy of the Western Missionaries Indian leadership was given emphasis. Indian christians were given Ordination from the middle of the 1860s. Representative bodies were constituted where the representatives of the churches could raise their voice. Moreover, as a training process, more attention was given to the education and training of the Indian christians. It is here that the problem of caste segregation made its monstrous appearance.

....Before 1980 in the CMS mission the majority of adherents were converts from the Pulaya Caste (untouchable in Kerala). But the benefits of the educational endeavours of the missionaries went almost exclusively to the Syrian Christians (upper castes) till the end of the last century. In the CMS school and college, there were 128 students in 1872. Except two all were Syrian Christians and none from the former slave castes (i.e. the untouchables) Gladstone observes.

....In 1892 a missionary confessed that "not a single pulayan (untouchable) boy has been educated in any of our chief schools. The only instance of a pulayan being admitted to the CMS college resulted in such a commotion that the boy was obliged to leave for the North where the feelings is less strong. This was

the case with all the institutions under the CMS in Kerala which imparted higher education to the people.

This segregation was maintained in the congregations also. For example in 1893 one of the missionaries attempted to admit the pulayas into the church just for the communion service. The Syrians all bolted out of the church through the windows.

In 1884 in Punjab the conversion of untouchables (Dalits) into christianity was opposed by the upper caste christians and a complaint was sent to the Board of Foreign Missions saying that the trend of poor low castes becoming christians is "raking in rubbish into the Church".

In 1894 Rev. William Geode who worked with the untouchables wrote about the worse situation of untouchable christians that they worked like slaves, doing menial jobs to upper caste Christians.

Even as early as 1620 the caste practice and discrimination in the Church was raised by some people. Robert D' Nobili, a Jesuit Priest, became controversial because he was teaching Christianity and training the Bharahmin converts separately observing all their caste practices. This was reported to the Pope then, but the Papal Bull of Pope Gregory XV, dated 31st January, 1623 acceded to the request of the missionaries to accommodate caste practices among New Converts.

The Dalit Christians terribly felt insecure with upper caste christians. In 1929 a delegation of Dalit Christians met the "Simon Commission" sent by the British Government to India that they should be put in the general constituency where they expected fairer treatment than they received in the christian constituency.

Numerous such instances and evidences of caste segregation, discrimination and victimisations of untouchable christians within the Church in all parts of India are recorded by scholars and researchers. But these are not brought to light. Casteism is much stronger within the Indian Church than in the Indian society. It is very much the reality today. This truth is not understood by the world christian community and it is hidden by the Indian Church authorities. But this hard truth needs to be brought to light.

First and foremost it has to be noted that in the Indian society, it is the 75% majority upper castes dominating and oppressing a minority 25% dalits and tribals. But within the church, it is about 30% minority upper caste christians dominating and oppressing a majority 70% Dalit christians. This perspective is important. So casteism in the church does not allow even the

fundamental democracy for Dalit christian forming the majority. Secondly since the constitution of India in the past 50 years, the other non-christian Dalits are provided some constitutional and statutory safeguards, protection and preferential treatment in education and employment by implementing of proportional reservations. The governments provide them also other welfare and development programmes and schemes with some exclusive resource allocations. This is helping the other dalits for some level of social and economic mobility. But these statutory safeguards and benefits have been denied to Dalit Christians on the basis of their religion which is constitutional discrimination they are suffering. In spite of this, in the past 50 years, the Church had never thought of doing something parallel to Dalit christians, using its institutions, facilities, financial and other resources. The Church simply remains with its eyes closed to the suffering and plight of Dalit christians. The church never thinks in terms of reservations for the historically oppressed Dalits christians to ensure them distributive justice within the church. Even when the Dalit christians demand this, the Indian Church authorities / hierarchy and the upper caste christians show stiff resistance with staunch caste-mentality and caste-culture. Still worse is that the church has been using the privilege and facilities of the Minority Right provided by the constitution only to benefit the upper caste Christians and other upper castes, but the Dalit Christians are wantonly neglected from these in the past 50 years. As a consequence in the institutions of the church Dalit Christians are severely marginalised. They are represented less than 8 per cent only in the students strength and in employments, even though they are a big majority within the Church. It is outrageous and a grave injustice suffered by Dalit Christians within the church. Because of this the majority christian community in India is weak and vulnerable.

Dalit christians are not able to share power and authority within the Church. After the constitution of India non-christian Dalits are able to get proportionate representation as member of State Legislative Assemblies, as Members of Parliament, etc. They get representation in the higher level administrative posts in the governments and in the public sectors. So the other Dalits are slowly getting empowered, thanks to the reservation policies of the governments in favour of them. But in the Indian Church, empowerment of Dalit christians is prevented vehemently. They remain totally excluded from the power structures of the Church. Dalit Christians are not allowed to become priests, nuns and Bishops. Dalit priests are not given any position of authority. Dalit priests and nuns are only about 8% and Dalit Catholic Bishops are only about 5%. It is outrageous since Dalit Catholics form about 70% in the Indian Catholic Church. Vocation is used as an instrument for promoting upper caste domination of the Dalit christians who are a big majority in fact.

It is for these reasons, we can say that casteism is actually much stronger in the Indian Church than it is in the Indian society. These are not accidental or incidental, but a systematic and deliberate exclusion of Dalit Christians and maintenance of caste domination on the Dalit Christians in the Church structures and institutions. There is still not much hope for Dalit Christians that things will change. They only encounter the apathy, sarcastic, indifference and stiff resistance from the Church hierarchy and authorities. It is neither respecting the Christian Faith nor respecting the humanity of Dalits. The struggle of Dalit Christians is inevitable. The Dalit Christian Liberation Movement (DCLM) of Tamil Nadu and Pondicherry States is already struggling in the past 10 years and it has created some impact at the national level. It has to be intensified soon if the Church allows the same unjust situation to continue. The Indian Church and also the world Church and Christian community must wake up at least now that the problem of castes is being discussed at the UN level along with racism. The intervention of international human rights bodies and of the UN will be helpful for speedy restoration of justice and equality for Dalits within the Church.

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15. *Demonic possession in Catholic South India*, in *Dalits in Modern India*, ed. S.M. Michael, 1999.

THE U.N., RACISM AND CASTE - II

*Gail Omvedt**

Mr. Andre Beteille has argued two major points in his article, "Race and Caste" (The Hindu, March 10). One is that racism was based on false science; there are no genetically and biologically different races among human beings. The other is that caste has nothing to do with race, and therefore to include caste in a discussion of racism is erroneous, however politically useful it may seem to some people. In fact his two points contradict one another. Neither caste as a social system nor "racism" are based on actual biological differences among human beings. Both, though, are systems of discrimination that attribute "natural" or essential qualities to people born in specific social groups. In other words, while caste has nothing to do with "race", the justifications of caste discrimination have a lot to do with the social phenomenon of "racism".

As Mr. Beteille has argued, "race" in terms of naturally different species does not exist among human beings. The science of genetics is now strikingly clear on this - there are no significant genetic differences among socially identifiable groups of people; the genetic variation among individuals is by far greater than any among any society group. But, this is only to say that "racism" as a social phenomenon is based on a lie; it does not provide us an analysis of why that lie has come to exist.

Racism, which is the attribution of "natural" characteristics to groups of human beings, came into full-scale existence in the last few centuries, largely in connection with imperialism. In order to justify the brutalities of conquest and subjugation, the non-white peoples conquered by the colonial powers had to be viewed, and were viewed, as less than human. The new biological sciences and even genetics came in handy for this purpose. Suddenly skin color and the shape of heads could be taken as representing some inherent biological and genetic features which had larger implications. Dominance was asserted to be the result of the "natural" (biological, genetic) superiority of white European peoples, who had the god-given charge of caring for the "lesser" peoples of the world.

This connection of racism with recent European-based

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imperialism is not to say that cultures of non-white peoples, whether Chinese or Japanese or the Africans themselves, have lacked systems of discrimination similar to "racism". It is simply that the European form has been dominant in the world over most of the last centuries, and has been linked with the strongest forms of oppression.

Racism, or ideas of innate, biological superiority and inferiority is, as Mr. Beteille himself has noted, a very "plastic" concept. All kinds of "races" have been postulated; class differences themselves were even interpreted at times in terms of race. It was quite natural, then, that when the British conquered India at the time of the full-fledged flourishing of racist concepts, when they were puzzled by the phenomenon of caste, that they should interpret it in terms of race. Thus, linguistic similarities among many of the languages of India and European languages were linked to groups such as the Aryans, identified as racial types, and using the notion of an "Aryan conquest", the argument was made that the upper three varnas were descended from the Indo-European "Aryans", and the Shudras, Adivasis and Dalits from non-Aryan indigenous people. In fact, racism in India has been as much a lie as elsewhere; the millennia of mixing of linguistic-ethnic groups, Aryan, Dravidian, Sino-Tibetan, Austro-Asiatic, has resulted in little clear distinction between caste categories. Ambedkar himself was categorical in rejecting the "Aryan theory" or the racial theory of caste. Caste was not a racial division but a division of races, he said (still using the category); Punjabi Brahmans and Punjabi Untouchables were ethnically the same, and Tamil Brahmans and Tamil Untouchables were not racially different.

However, what has to be answered is why this "Aryan theory" proved so attractive to Indians themselves, why interpreting caste in terms of race has been so pervasive. The reason is precisely because of its resonance with indigenous themes of caste. For caste, like race, is based on the notion that socially defined groups of people have inherent, natural qualities or "essences" that assign them to social positions, make them fit for specific duties and occupations; it is their swadharma to carry out these duties. The word jati has been applied to species of plants and animals; and quite naturally many Indians thought of human castes as similar to such species. Thus, when the Buddha sought to refute the notion of birth-determined caste, two and a half millennia ago, he referred to the basic physical similarity of all human beings.

According to the Sutta-Nipata, when asked by Vasettha, a Brahman, to settle a debate between him and a friend about whether it is "birth" or "life" that makes a Brahman, the Buddha

replies that whereas grass and trees, insects, snakes, fish and birds have diverse species - he uses the term jati - among humans this is not so. "Men alone show not that nature stamps them as different jatis. They differ not in hair, head, ears or eyes, in mouth or nostrils, not in eyebrows, lips, throat, shoulders, belly, buttocks, back or chest." He then goes on to say that one who lives by keeping cows is a farmer or kassako; one who lives by handicrafts is a tradesman or sippiko; one who lives by selling merchandise is a vanijjo; one who lives by services done for hire is a pessiko or wage-worker; one who lives by taking things not his is a robber; one who lives by warfare is a yodhajivao or soldier; one who lives by sacrificial rites is a yajako or priest; one who rules is a monarch or raja. This denial of innate, inborn differences between jatis contrasted with arguments in the Manusmriti that, for example, Shudras were by essence, by nature, designed to serve, that they were created as servants. Thus, because such notions of "natural" differences lay behind justification of the varnas, it is perhaps not so surprising that when the British put forward their racial theory of caste, it was accepted by so many Indians also. The original theological justification - varnas created out of the original Purusha - could be replaced by a pseudo-scientific justification. Thus, caste is not based on race; but the theories justifying caste, or caste as an ideological construct, were similar enough to racism to allow a racial interpretation of caste. (It has to be added also that many of the Indian elite, including Gandhi, used sociologically themes of a harmoniously functioning society to justify an idealised varna system).

The fact that the United Nations is holding a conference on racism is not a matter of perpetuating notions of "race". Indeed, significant progress in most countries has been made over the last decade in fighting existing forms of racism, caste discrimination and similar social forms. This is true also in India. Yet it would be foolhardy to say that racism or caste discrimination do not exist, whether we are talking about the United States, South Africa itself, Japan where an indigenous group similar to Untouchables, the Burakumin, have been organising, or India. Racism and casteism cannot be annihilated by ignoring their existence. Policies to eradicate these social evils require full consciousness of their extent, knowledge of their various expressions, and will to take public action. In a global age, fighting racism, caste discrimination and similar phenomenon means global alliances and international as well as national policies. There is no reason for a government representing the Indian people to fight this; if the government does so, that means it is representing very different interests.

CASTE IS A VARIETY OF RACE

*Ambrose Pinto**

Ever since Dalit groups have started mobilising themselves to fight their centuries old discrimination, the ruling elite have begun to hit back. In recent days, there have been articles in major newspapers on how caste discrimination is very different from race discrimination and that is why it is outside the purview of the U.N. Conference on Racial Discrimination. And all those who have articulated themselves including Andre Beteille, social anthropologist of repute, (in *TheHindu* of March 10, 2001) have backed the irrational position of the present government and other forces of vested interest.

What is however forgotten in the whole course of the arguments by the ruling elite is their own location in the social hierarchy. Our relationship to other human beings and society depends on our own social location and subjectivity. One can quote from authors and scholars to legitimise one's position and strengthen one's case. Unfortunately, the ground realities are experiential. To be fair to discriminated groups none of the elites who have been part of the oppressive structure should have any business to talk on their behalf since they have not experienced the reality of discrimination. The language and ideas of the ruling elite have been one of subjugation and exploitation since it is purely centred on concepts evolved in ivory towers. The objective of such knowledge is to preserve one's class interests.

More than theory, knowledge must be constructed from experience. This position is unlikely to be acceptable to our noble theoreticians, academicians, the politicians and the bureaucrats since this class has benefited through subjugation of certain social groups in the name of caste. The principle of equality is a fundamental component to the U.N. mechanism of promotion and protection of human rights. Article 1 of the Universal Declaration of Human Rights states that "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." As we step into 21st century we need to ask ourselves as a nation whether our social and institutional structures are based on discrimination or not. And if there is discrimination what is it based on?

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ENDO GAMY

Whether it is caste or race, the status is entirely ascribed, the status one obtains at birth. Segregation exists in both the systems. Outcasts still remain outcastes. Even in the midst of the recent worst human tragedy that hit the country in the form of an earthquake in Gujarat, the whole institutional mechanism of the state did not move into the Dalit areas and belts while the benefits of relief went to the upper castes as fast as possible. This is no concoction. Papers have reported it. Parliament has discussed it. The Congress party has highlighted it and NGOs have testified to it. In both caste and race those in the lowest rung are not only discriminated against but cursed to do menial jobs. Endogamy is another feature of both. Marriages are rare and few both among different racial and caste groups. Both are stratifications, a hierarchical ordering of social categories, supported by social institutions. Inequality is intergenerationally transmitted in caste and race. Prejudice and discrimination are both a part of race and caste. And what is worse is that such prejudice and discrimination are not merely personal but institutional, a part of the structure and processes of whole society.

In both caste and race theories, there is an attitude of the so-called higher or superior groups that their culture is superior to all other cultures and all the other groups should be judged according to their culture. What is the difference in the claims made by the white race in Europe and the upper castes in India? In any racial or caste society the access to the society's resources including power is proportionately larger to the pure in comparison to the impure or polluted. Take the example of the Dalits in India. The Constitution has made caste illegal and abolished it in 1950. Affirmative action programme was introduced to bring the unequals to the level of equality. Regardless of official policy, the system still permeates Indian life and culture. "When we are working, they ask us not to come near them. At canteens, we have separate tea tumblers and they make us clean them ourselves and make us put the dishes away. We cannot enter temples. We cannot use upper caste water taps. Our children in schools are not treated as children of the others. We live in colonies of our own" - is a testimony of a scavenger in Ahamedabad. Caste has still limited social advancement, job and marriage choices. In spite of 50 years of Independence can one still believe that the SC/ST representation in teaching jobs at the level of higher education is a mere 2 per cent at the all India level, when the affirmative action has provided them with 22 per cent. How do those who oppose the linkage of caste with race explain this? Though skin colour or physical differences may not all the time play a significant part in distinguishing caste as in race, social descent and occupation does. Apartheid exists in both.

On several counts Dalit oppression is worse than racial discrimination. Over 240 million people of this country have been shunned as outcastes. In fact, the Government of India's 1996 state report on the Committee on Elimination of all forms of Racial Discrimination (CERD) clearly notes though caste may not be equivalent to race, it falls within the purview of Article 1 of the Convention due to the clause on descent. Why is the government playing a different tune now? Even the U.N. Committee on Civil and Political Rights has observed "SC/STs continue to endure severe social discrimination and suffer disproportionately from...intercaste violence, bonded labour and discrimination of all kinds." The U.N. bodies have opened up opportunities for Dalit activists, movements and organisations to highlight their oppression in the international forum. When the Indian state has not effectively implemented its constitutional mandate of Dalit Human Rights, what is wrong that the Dalits demand for rights from the World Government, the U.N.? After all, India is a signatory to most of the covenants of the U.N. In the light of India's ratification of CERD in 1969 it is perfectly constitutional, lawful and democratic for the discriminated communities to approach the very body to bring to its notice the discrimination they suffer.

Vested interests

In spite of ground realities why is our ruling elite thus sound increasingly irrational? The reason is vested interests. It is the same interests that did not permit Ambedkar to raise specific concerns of the Dalits with regard to independence at the Round Table Conference. Once again, it is the very same interests that deny any implementation of affirmative action in the name of efficiency and merit. The caste system has developed a large amount of socio-economic interests and any change in it affects the existing socio-economic order. That is why our ruling elite abhor any transformation of the system. What the Dalit cause needs is perception of ground level realities from all concerned and not faithfulness to the position of the state and its academicians. We need to work for the liberation of the marginalised based on ground realities as experienced by the discriminated people.

CASTEISM IS THE MOTHER OF RACISM

*Basil Fernando**

(A Further Reply to Mr. Sorabjee, Indian Attorney-General)

India's Attorney General Soli J. Sorabjee, who earlier wrote about his interest in keeping his toilet the way he wants has come out with some more surprises. In a subsequent piece he says a UN Sub-Commission's resolution is not valid or binding since he could not attend it; "Unfortunately during the final stage when the resolution was passed I was absent owing to compelling professional engagements in the Supreme Court.... I am afraid I cannot accept Ms Smita Narula's gratuitous advice that as Attorney General of India I should encourage the government to implement the resolution which I did not help to create."

This is a strange approach to resolutions, agreements and law making in general: 'I did not help to create it and so I am not bound by it.' If every one takes that approach, there will be no binding resolutions. Take for example Iraq. It can say it did not help to make most of these resolutions and in fact opposed them. According to the Attorney General's own admission he opposed the resolution. Says he, "At the meeting of the UN Sub-Commission on Promotion and Protection of Human Rights held in last August in Geneva I had during the deliberations expressed my firm view that caste based discrimination is different from the discrimination on the basis of race." Having heard him, the Sub-Commission decided otherwise. In short, the sub-commission was quite well aware of the Attorney General's point of view, considered it to be wrong and decided to the contrary.

Thus, the Attorney General has reason to advise himself that world opinion is different to his and that he must now play the game according to the rule. There must be many Indian cases where the courts have overruled the Attorney General. Would it not be contempt of court to not to obey the ruling once the matter is settled. (It is just beside the point that if Attorney General could not be present he could have delegated some one else to be present. Or is it that he finds it difficult to identify anyone who agrees with him?)

As for the argument on race and caste, race is a much

* Basil Fernando, Executive Director, Asian Human Rights Commission

older form of discrimination than race and, as it exists in India, much more comprehensive and cruel. Caste discrimination is the mother; racism is only the child. The source of discrimination in both forms does not arise from colour or blood but from the conceptions on which it is based, which are social and political constructs. Caste discrimination in India is a social construct in which people belonging to various castes are segregated even more than in some instances of severe racial discrimination. Whatever the biological foundations are, caste discrimination in India contains all the aspects of racial discrimination in a much more complete form. To discuss racism and related intolerance and exclude caste is like discussing physical hurt and excluding murder. There are multiple forms of racial discrimination and caste is one. The two can be separated only artificially. If the Attorney General is honest in saying of caste discrimination: "it is undeniable that despite constitutional and legal provisions caste based discrimination in our country persists and is pervasive and strong effective measures are needed to stamp out this evil", what is his objection to a discussion of it? Are his preoccupations about the toilet more important than all such inhumane treatment of at least 160 million of his compatriots? Or does he really consider them to be his compatriots at all?

END GLOBAL CASTE DISCRIMINATION

Human Rights Watch

Marking the International Day for the Elimination of Racial Discrimination, Human Rights Watch today called for an end to caste-based discrimination around the world.

The World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance will take place in South Africa from August 31 to September 7, 2001. "This conference is a significant opportunity for the international community to address the situation of South Asia's 240 million Dalits, or so-called untouchables," said Smita Narula, senior researcher for Human Rights Watch. "In much of Asia, little regard will be paid to this conference if it does not effectively address this problem."

The rights group decried efforts by the Indian government to sabotage the efforts of Indian NGOs to raise awareness of the caste struggle at preparatory meetings in the lead-up to the conference, including the recently concluded Asian preparatory meeting in Tehran. The situation of Dalits stands alone as the only issue to have been systematically cut out of the conference's intergovernmental process so far.

"Although South Africa's apartheid was effectively challenged by the international community, South Asia's 'hidden apartheid' continues to condemn Dalits or 'untouchables' to a lifetime of slavery, segregation, exploitation, and violence," Narula added. "Its place in international consciousness is long overdue."

India actively supported the anti-apartheid struggle, has ratified all major human rights conventions, and has enacted progressive legislation to tackle caste-related problems of bonded labor, manual scavenging, untouchability, and other atrocities against Dalit community members. Much of the legislation, however, remains completely unenforced. Laws are openly flouted and state complicity in attacks on Dalit communities has become a well-documented pattern. Caste-based abuse is also rampant in Nepal, Sri Lanka, Bangladesh, Pakistan, Japan, and parts of Western Africa.

The Indian attorney general and many other Indian officials have erroneously argued that this is a conference about

racism, and not other forms of discrimination. The very title of the conference undercuts this argument, as do conclusions drawn by the Committee on the Elimination of All Forms of Racial Discrimination that the situation of Dalits "falls within the scope of the Convention on the Elimination of All Forms of Racial Discrimination," and that the term "descent" contained in Article 1 of the Convention does not refer solely to race, and encompasses the situation of Dalits.

The government has also argued that efforts to raise the caste issue are part of an "external agenda." Their position conveniently ignores the efforts of hundreds of Indian human rights groups who in December 1999 collectively submitted over 2.5 million signatures to the Indian Prime Minister A.B. Vajpayee demanding the abolishment of untouchability and urging U.N. bodies to squarely address the issue of caste-based abuse and discrimination.

Activists from around the world, including anti-apartheid activists in South Africa and African-American activists in the United States, have already begun to support the Dalit struggle. Given the magnitude and severity of this problem in Asia, the international monitoring group called on the international community to ensure that caste-based and similar discrimination against marginalized populations in Asia be explicitly addressed in the draft declaration and programme of action of the WCAR. Dalits, Burakumin in Japan, and other populations in similar situations, it added, should be explicitly acknowledged as groups of people who have been subject to perennial and persistent forms of discrimination and abuse on the basis of their descent.

Human Rights Watch has also repeatedly called attention to the pervasive racism and intolerance afflicting millions of migrants and refugees uprooted by economic developments and political strife and racial discrimination in the determination of nationality and citizenship rights. In the post-apartheid era, de facto rather than de jure discrimination takes on immense significance. The discriminatory effect of racist practices in criminal justice, public policy and administrative practice cannot be ignored.

(New York, March 21, 2001)

THE DIRTIEST ENGAGEMENT OF INDIAN DIPLOMACY : OPERATION TOILET

Basil Fernando

(A reply to Soli J. Sorabjee, Attorney General of India)

The Regional Preparatory Meeting in Teheran for the forthcoming World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban in September witnessed a repetition of the Indian Government's position against the inclusion of Caste in the agenda of this conference. India's Attorney General, Soli Sorabjee, in a Times of India article entitled Racism, Name Changing & Toilets, has revealed the reason, which may have turned Mahatma Ghandi in his grave. Says the Attorney General "None of this capitalist obscene toilet opulence for socialist India. We will rest content with clean functioning toilets.

Is this an Utopian fancy?" A video production entitled Less Than Human has depicted the way Brahminism has condemned vast sections of untouchables just to collect shit. One of the scenes shows an untouchable being forcibly submerged in a shit pit. The Attorney General is saying, "that is how it's going to be in future also". To prevent the untouchables from walking out of their toilets is what the Brahmins and their spokespersons are struggling for at this conference and outside. A world where caste will be annihilated is seen by them as a Utopia for these discriminated masses, and seen as a smelly place for themselves.

The Indian caste system has been the means by which vast sections of the Indian population were submerged into a condition of servitude to serve the interests of a small minority who claimed their privileges on the basis of a special birth through the mouth of their god. However, the real issue was not from where they were born but who could possess land in India. So long as the untouchable was confined to the toilets, they were also confined to the Indian Ghetto. Thus land and everything that goes with it were in the easy possession of a minority.

A few days after publication of the Attorney General's letter on toilets, the Washington Post revealed that a four-day meeting intended to bring some coherence to the agenda of an international conference on racism in August ended today (9 March) in Geneva without success. One of the few vociferous states at

the meeting was India, whose sole interest was to prevent caste being discussed at the world conference. Battalions of Indian diplomats are now being put to this task. The reason for such a massive operation is not difficult to understand. Many of India's claims are under threat of exposure: that it is the world's largest democracy; that it has a great civilisation; that it even has a right to enter the United Nations security council. That it has practised one of the crudest forms discrimination for millennia can make all these claims sound hollow.

Like the Attorney General, everyone has only one argument: Caste and Race are different. These good gentlemen are only opposed to name changing. What they seem to forget is that whatever the name, the game is the same; the game is one of discrimination of a type similar to or worse than apartheid. The Attorney General even tries to cite the Indian constitution in his favour. In that he gets into a serious difficulties with anyone who knows that constitution and its history.

The makers of the Indian Constitution had some idealism. The constitution recognised caste as a curse of India and deliberately tried to address the issue. Running through the constitution is the theme of equality and ways to address the problem. The very fact that these founders who represented divergent opinions agreed to have B.R. Ambedkar, an untouchable and worse the undisputed leader of these to be the chief draftsman of the constitution showed a remarkable degree of appreciation of the caste issue in the Indian Nation.

Such leaders as Swami Vivekananda and Mahatma Ghandi, two great influences in the Indian independence movement reflected this idealism. Swami Vivekananda wrote "unless they [Untouchables] are raised, the mother land of ours will never awake." His remarks on caste discrimination remain a bitter critique of the Indian Hypocrisy on this issue. Mahatma Ghandi, who liked to be seen as the champion of untouchables, condemned caste discrimination as a form of leprosy. Though their visions for the eradication of caste may have been limited, their acknowledgement of caste as the great Indian contradiction cannot be denied.

This Indian Idealism is now dead. The fundamentalist Hindutwa movement represents the contemporary equivalent of the ideology of Godse, Mahatma Ghandi's assassin. This ideology is no different to the ideologies of white supremacy movements. It is an ideology of complete racism. What this ideology represents is not India's pride but its shame. Damn the nation and save caste is, in short, the ambition of those who represent this ideology. It is the ideology of India's current ruling party.

The Attorney General and Indian Diplomats derive their mandates from this vicious ideology. They are whole-heartedly committed to preventing a global debate on the most wretchedly exploited sections of Indian society, who constitute at least 160 million people. The efforts and expenditure that is put to this operation are enormous.

However, in their great enthusiasm to make untouchables invisible, they have already lost the battle. The world now knows about the deep divisions that exist in India on that issue and how sensitively the present BJP government perceives the issue. If someone thought that caste is something of the past or an exaggeration they will now know that their perceptions were wrong. The realisation that this most primitive type of exploitation still exists, affecting a large section of people, will visit many people as they read their newspapers or see TV screens reporting on the World Conference Against Racism. The Indian diplomacy has been counter-productive for the BJP government. However, it has unwittingly contributed to the expansion of the campaign against caste.

The Attorney General's article ends with a pathetic question, "Is this an Utopian fancy?" Keeping caste in place and enjoying other people cleaning his toilet has a quality of the Utopian dream to him and his like. Will this be lost? That simply is inevitable. It is time for him to find another way to keep himself clean.

SCIENTIFIC NONSENSE AND SIMPLE NONSENSE

Basil Fernando

(Reply to Andre Beteille article Race and Caste published in The Hindu on March 10, 2001)

Andre Beteille's article "Race and Caste", published in The Hindu on March 10, 2001, concludes with the following classic sentence, which exposes the entire style of the author: "Treating caste as a form of race is politically mischievous; what is worse, it is scientifically nonsensical." How does the anthropologist who quotes from many books distinguish "scientifically nonsensical" from "nonsensical"? What does he add to the meaning of nonsensical by adding 'scientifically' before it?

The whole article bears that same style. The gist of the argument is that there is no such thing as race, anthropologically speaking, so why should there be a world conference about it? Secondly, as there is no such thing as race, how can caste be called race? The questions, couched in anthropological terms, are in fact metaphysical. In this sense there may be nothing call Brahmins anthropologically speaking. Does that deny the existence of Brahmins? Like all social constructs, race too has no anthropological meaning but does have a political meaning. Mr. Beteille's speaks of Anthropology as the only science that exists - what about Political Science? After all, even his article is not an essay on anthropology but rather a political piece, trying to attack the world conference in general and the inclusion of discussion on Dalits (untouchables), using some references to anthropology in support of his opinion.

Beteille, who has spent many years conducting research on Castes in areas where this form of discrimination is expressed sharply, cannot deny its existence. "The practice of untouchability is indeed reprehensible and must be condemned by one and all". The justification for this reprehensible practice is birth into a particular group of people who are subjected to a particular form of treatment. Classifications due to birth are not necessarily biological: that people born to one family should be treated in one way, and those born to another should be treated a different way is a social classification. Politically, classification based on birth is racial. That is how caste has no other explanation than race.

The World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance is about elimination of discrimination on the basis of race. It is a world debate on social practices of racism in their manifold forms and on the means by which to eliminate these practices. It is a discussion of the member states of the United Nations and deliberations are directed not merely to condemn but to eliminate these reprehensible practices. The discussions are therefore political and legal.

What Andre Beteille suffers from is not any scientific confusion but another social practice known as hypocrisy. His position is not about the classification of caste, but about preventing a discussion on caste. The most important rule in maintaining any form of discrimination or repression is to disallow speech about it. In India, this process of silencing has gone so deep that those who protested were exposed to the deepest forms of humiliation such as parading them naked, throwing human excreta and similar practices. The practices were so inhuman that the Indian government enacted legislation prohibiting such acts by making them criminal offences. Now a World Debate about the issue will be a significant break in that silence. Naturally the mud slinging about the conference will use scientific language. Brahmins in the past defended their positions on the basis of Vedas, the books that they raised to the status of a sacred book. Their method of interpretation was not different to the "Scientific" explanations of Beteille.

Andre Beteille's thought on Caste has always reflected his upper caste bias. In his earlier writing he speaks of caste as 'status', like forma of status in other societies. This is very much like the Brahmin explanation of caste as 'functions' and 'division of labour'. Ambedkar replied to this argument long ago by saying that caste is a division of labourers. It is not the first time that refined language has been used to defend and protect the evil practice of Caste. Whatever the language, such defenses are nothing but simple nonsense.

CASTE AWAY

*Smita Narula**

In 'Racism, Name Changing and Toilets' (March 4) Attorney-General Soli Sorabjee joined the ranks of Indian government officials to argue that caste is not race, that the inclusion of caste-based discrimination in a UN-sponsored World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) would 'dilute' the conference theme, and that caste-based abuses are an internal, not international, concern. The conference is to take place in South Africa in September.

Mr Sorabjee's arguments effectively undermine India's commitment to the universality of human rights, as expressed through its ratification of numerous international conventions. They are more reminiscent of the 'not-in-my-backyard' defensiveness of governments around the world. The arguments also ignore the pronouncements of numerous UN treaty bodies that caste-based discrimination is discrimination on the basis of descent under Article 1 of the Convention of the Elimination of All Forms of Racial Discrimination. Caste-based abuse is rampant in numerous Asian countries including Nepal, Sri Lanka, Bangladesh, Pakistan and Japan. Its inclusion in the WCAR is, therefore, not a dilution but an affirmation of the voices of hundreds of millions of victims who continue to suffer from segregation, modern day slavery, and extreme forms of exploitation and violence.

At preparatory meetings for the WCAR, the issue of caste has been undermined, sidelined and ignored by Indian delegates and state-sponsored NGOs purporting to represent the world's largest democracy. The government has consulted neither Parliament nor the National Human Rights Commission or National Commission for Scheduled Castes and Scheduled Tribes while promulgating and promoting its position. Mr Sorabjee is an expert member of the UN Sub-Commission on Human Rights - which recently passed a resolution on work and descent-based discrimination. As India's attorney-general, he should encourage the government to support efforts to implement a resolution he helped create. While countries may ignore the pronouncements of UN treaty bodies, they cannot ignore their own Constitutions or the voices of their citizens. The spirit of this conference and India's own constitutional commitment to freedom of expression, equality, and the abolishment of untouchability demands no less.

* *Smita Narula, Senior Researcher, Human Rights Watch*

ANNEXURE-1

COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

Item 6 of the provisional agenda

**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA
AND ALL FORMS OF DISCRIMINATION**

Written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches, a non-governmental organization in special consultative status.

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 January 2000]

GE.00-10606 (E)

1. The Commission of Churches on International Affairs of the World Council of Churches appreciates the work undertaken by this Commission towards elimination of racism, racial discrimination, xenophobia and all forms of discrimination. Over the years the World Council of Churches through its programmes and policies has consistently worked towards removal of inequalities and discriminatory policies and in this way has contributed to the strengthening of the United Nations in its endeavours to ensure justice and equity for all people as they enter the new millennium. In relation to one such programme, the Commission of Churches on International Affairs cooperates with the Dalit Liberation Education Trust, in Chennai, India, that works for upliftment of Dalits.
2. The United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in his last report (E/CN.4/1999/15 and Add.1) raised the issue of untouchables in India and expressed hope that he might visit the country soon to study the situation. The Special Rapporteur on religious intolerance while on a visit to India was aware of the issue of Dalits and Dalit Christians and raised it with the authorities, including the Secretary of the Ministry of Law of the Government of India, who acknowledged the "loss of privileges" of Dalit Christians (E/CN.4/1997/Add.1, para. 61). The Special Rapporteur was told at that time that a proposal to address the demands of Dalit Christians

was before the Parliament. It is regretted that the Government of India has yet to introduce the proposed legislation. The World Council of Churches appreciates that due notice has been taken of this inhuman and degrading system and practice by the Special Rapporteurs.

3. Over 200 million Dalits in India have been subjected to discrimination, discriminatory practices and violence not only because of socio-economic factors but also as a result of religious intolerance. The Dalits, who are mostly landless agricultural labourers, live in abject poverty and suffer oppression and discrimination at the hands of rich and powerful landlords. Denied the right to development they are constrained to live in segregated quarters in inhuman conditions. In the words of their great leader Dr. B.R. Ambedkar, they live and survive in "dehumanizing conditions".
4. For the last 2,000 years the Dalits have continued to suffer humiliation and ill-treatment despite the fact India is the world's largest democracy with a progressive, secular and liberal constitution. At present 20 million Dalit children from socially oppressed and economically poor families work in hazardous industries; some work as bonded labourers, some are sexually abused and exploited. Denied the right to human development and socially excluded, the Dalits have little or no opportunity to provide an adequate and decent education for their children.
5. The living conditions of the Dalits have been aptly described by the former Chairman of the National Commission for Scheduled Castes and Scheduled Tribes, Mr. H. Hanumanthappa, in the following terms:

 "The Dalits are in different stages of socio-economic development and are engaged in divergent forms of work for their living. The practice of such traditional unclean occupations as scavenging, carrying night soil, removing dead animals, leather work, beating of drums, etc. gave them a low position in the traditional caste hierarchy and they are viewed as occupying the lowest rung of the social ladder. The vast majority of Dalits are landless and work as agricultural labourers and wage earners to eke out their livelihood. Dependence on upper-class land owners for agricultural labour and perpetual subjugation force many of them to live as bonded labourers. On the educational front the scheduled castes lag far behind the general population of India. The general literacy rate in 1991 was 52.19 per cent, while the literacy among the scheduled castes was only 37.41 per cent. The condition of the Dalit women is particularly deplorable. They are doubly underprivi-

leged being women belonging to a scheduled caste. They constitute the major work force doing hard manual labour and engage in agricultural operations and their exposure to outdoor work and interaction with cunning employers make them vulnerable to sexual exploitation. Abject poverty forces Dalit women to become Devadasi, the prevalent institutionalized prostitution system.”

6. The recently released annual report of the National Human Rights Commission (NHRC) also draws attention to the sufferings and humiliation of the Dalits. It makes the following observations with regard to the degrading treatment meted out to them:

“The Commission considers it deeply offensive to human dignity that the degrading practice requiring the manual handling of night soil is still allowed to continue in our country, 50 years after independence. Despite the launching of a nationwide scheme in March 1992 to free those engaged in such work, and to rehabilitate them in other occupations, implementation has remained dismal.” Though the scheme was approved in 1993, there has been for all practical purposes little or no follow-up action by the authorities concerned. NHRC rightly points out that when it comes to weaker sections of society there is a tendency to relapse into inaction, be it because of undertaking mega-projects, or as a result of economic policies that have the effect of marginalizing the most vulnerable sections of society.

7. In August 1996, NHRC, in cooperation with the Dalit Liberation Education Trust, sponsored a workshop on the situation of Scheduled Castes and Scheduled Tribes. The workshop in its report observed that despite the existence of the Protection of Civil Rights Act, 1976 violations of the human rights of Dalits have increased. The implementation of the provisions of the Act has left much to be desired; investigations of atrocities against Dalits have often found to be inadequate or biased. The rate of conviction of perpetrators is low and there is a need to plug the loophole in the law that allows the situation to continue. The frequency of atrocities resulting from disputes over land has increased and there is a need to implement land reforms diligently. The workshop called for greater sensitization of government agencies like the judiciary and law enforcement to make them more aware of the special problems posed in protecting the rights of Dalits.
8. In recent years, atrocities and violence against the Dalits have increased enormously. Attention to this problem has also been drawn by reputed periodicals and journals both inside as well

as outside the country. The 20 October 1997 issue of Time magazine carried a cover story on the increase of violence against Dalits. This situation was also highlighted in an article that appeared in the 11 August 1997 issue of the daily Hindu. The article was written by a well-known Indian journalist, Prem Shankar Jha. In 1995 the number of reported cases of atrocities committed against the scheduled castes in the country was 35,262. These included 688 cases of murder, 2,156 cases of grievous hurt, 1,143 cases of rape and 729 cases of arson. The maximum number of 14,966 cases of atrocities was reported from the Uttar Pradesh followed by Rajasthan (5,204 cases) and Madhya Pradesh (4,387 cases). Together these states accounted for 69 per cent of the total reported cases of atrocities in the country against the Dalits. According to the Dalit Liberation Education Trust "Every hour two Dalits are assaulted, every day three Dalit women are raped, two Dalits are murdered and two Dalit houses burnt". It is the responsibility of the Government of India to ensure that state governments respect human rights and stop repression of the Dalits by the state police.

9. The present deplorable situation of the Dalits cannot be allowed to continue as the international community enters the new millennium. The Dalits are entitled to protection and equal treatment before the law. Article 27 of the International Covenant on Civil and Political Rights states "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language". The Dalit Christians in India are being denied equal rights and opportunities because of the discriminatory practices and policies of the Government of India.
10. The Commission of Churches on International Affairs calls on the Commission on Human Rights to request the Special Rapporteur to undertake a study of the discrimination and discriminatory practices and policies based on untouchability and the caste system as a contemporary form of slavery in the South Asian region.

ANNEXURE-II

The Lutheran World Federation Contribution to the draft declaration and programme of action, WCAR

18 August 2000

DISCRIMINATION BASED ON OCCUPATION AND DESCENT RELATED TO CASTE

Discrimination on the basis of occupation and descent related to caste is a prevalent form of discrimination affecting 240 million people in South Asia, as well as many others in Japan (Burakumin) and West Africa. Discrimination of this type, especially when sanctioned by religion as well as society, is very difficult for special legislation alone to curb. Such discrimination not only ascribes the victims secondary status in direct violation to Art. 2 of the UDHR, but also presents a fundamental obstacle to human development.

The expressions of this form of discrimination include untouchability, segregation of housing, forced and degrading labour, prohibition of intermarriage, discrimination in terms of access to public places, differential treatment by the rest of society in public life, social boycotts and violence. Women tend to be among the most seriously affected by this form of discrimination.

Recommended plan of action:

1. Governments should ensure that all necessary constitutional, legislative and administrative measures (including appropriate forms of affirmative action) are in place to prohibit and redress discrimination on the basis of occupation and descent related to caste and that such measures are respected and implemented by state authorities at all levels.
2. Governments should ensure prompt and effective implementation of such measures, including criminal sanctions, to ensure that persons or institutions engaged in the practice of discrimination on the basis of occupation and descent related to caste do not enjoy impunity, and that victims of such discrimination are adequately compensated.
3. Governments should ensure that degrading practices such as manual scavenging are brought to an end and persons engaged in the same are compensated and rehabilitated into occupations that promote human dignity.
4. The United Nations Commission on Human Rights should appoint a Special Rapporteur to study, report on and develop rec.

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ommendations based on consultations with all sections of society in those countries in which such discriminatory practices related to occupation and descent based on caste are prevalent.

5. Governments should ensure that appropriate and effective forms of affirmative action with a view to bringing about equality and equal opportunity for all sections of society are strictly implemented without delay in all the relevant sectors.
6. Governments should ensure that, following the Paris Principles of 1991, all the national institutions for the protection of human rights include representation from groups discriminated against in society on the basis of occupation or descent related to caste, and accessibility of the relevant institutions is assured.
7. Governments should ensure that all mechanisms for complaint and redress, including all levels of the judiciary, have adequate representation from members of groups discriminated against on the basis of occupation and descent related to caste, with a special focus on women.
8. Governments should ensure that freedom of religion becomes one of the fundamental principles in the implementation of the above-mentioned measures.
9. Governments should ensure that appropriate awareness-raising and education initiatives are undertaken to change societal attitudes on which such discrimination is based.

ANNEXURE -III**Fundamental Issues Relating to Racism, Racial Discrimination, Xenophobia and Related Intolerance in the Asian Region Need to Be Included in All Preparatory and Experts' Meetings Leading to the World Conference against Racism**

As the preparation for this conference is under way, it is necessary to stress a need for an open process in which all groups and persons suffering from various forms of discrimination will be able to bring their situations to the notice of the conference and to the international community. Asia is the largest continent in the world with a population amounting to more than 2.5 billion. In this context, it is only natural that there are very acute forms of discrimination that exist in this vast continent. All preparatory meetings leading to this conference, particularly those held in Asia, must provide sufficient opportunity for Asian communities to bring their grievances to the notice of the conference. The two meetings to be held in Asia are the Experts' Seminar, 5 -7 September, 2000, in Bangkok, Thailand, and the Asia Regional Preparatory Committee Meeting in January 2001 in Tehran, Iran. In these circumstances it is rather disturbing to see that the themes fixed for the Experts' Seminar to be held in Bangkok is "Migrant Workers and Trafficking of Persons, with Particular Reference to Women and Children." This way of fixing the theme will exclude discussion on all other fundamental issues. While the topic that has been set is of great importance and deserves the support of everyone, it in no way exhausts the forms of discrimination in Asia. In fact, the theme fixed in this way will exclude the discussion of many vital issues. For this reason, the beneficiaries of fixing the theme in this way are the perpetrators who cause such discrimination and political systems that protect such perpetrators.

To shut the door to those groups of persons defeats the purposes of the world conference and the preparatory work done for that purpose. As the fixing of the themes for such meetings are done by the organizing group of the conference based in the United Nations High Commissioner's Office, it is necessary that they take necessary steps to avoid the exclusion of any form of discrimination practiced in the region from being discussed. This particularly applies to entrenched forms of discrimination affecting millions of people. In terms of the forthcoming Experts' Seminar in Asia, this means that either the theme of the meeting should be changed or, if that is not possible for any reason, to make allowance for discussion of all issues relevant to the world conference, despite the narrow limits set by the theme of the seminar. Therefore, we urge the United Nations High Commissioner to take all steps to avoid exclusion of vital issues of discrimination in Asia from the forthcoming Experts' Seminar in Asia. We eagerly await a positive reaction on this matter from the United Nations High Commissioner of Human Rights.

- Asian Human Rights Commission

INDIAN ARYANISM

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